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Statutory orders and regulations



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CANADA



STATUTORY ORDERS AND REGULATIONS

CONSOLIDATION, 1955

VOLUME IV

Appendix
and
General Index

Published under authority of the Regulations Act

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
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OTTAWA, 1955.



STATUTORY ORDERS AND REGULATIONS

STATUTES

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Appendix
and
General Index

Published under authority of the Parliament of Canada

PRINTED AND CONTROLLED BY STATISTICS
CANADA
OTTAWA, 1956

TABLE OF CONTENTS

Volume IV

	PAGE
APPENDIX—FRUIT, VEGETABLES AND HONEY REGULATIONS	3013
GENERAL INDEX	3092
ERRATA, VOLUMES I, II AND III	3119

APPENDIX

FRUIT, VEGETABLES AND HONEY ACT

(R.S.C., 1952, c. 126)

The Fruit, Vegetables and Honey Regulations were in the process of revision on January 1, 1955, and as they were not available for publication at that date they were not included in the Consolidation. However, as they became available before the Consolidation went to press they are published as an Appendix in order that they may be available to all concerned.

Fruit, Vegetables and Honey Regulations

Under and by virtue of the powers conferred upon me by section 3 of the Fruit, Vegetables and Honey Act, chapter 62 of the Statutes 1935, the undersigned hereby orders that the Regulations established by Ministerial Order October 19, 1949, as amended June 6, 1950, October 30, 1950, September 3, 1952 and July 31, 1953, be rescinded and the annexed regulations be made and established.

JAMES G. GARDINER,
Minister of Agriculture.

Ottawa, March 1, 1955.

REGULATIONS UNDER THE FRUIT, VEGETABLES AND HONEY ACT

Short Title

1. These regulations may be cited as the *Fruit, Vegetables and Honey Regulations*.

INTERPRETATION

2. In the regulations following, unless the context otherwise requires,—

- (1) “acceptance”—in addition to the interpretation as laid down in any Provincial Act respecting the sale of goods this term means that the buyer has accepted the produce unless
 - (a) he notifies the seller by wire or the seller’s local representative in writing within a reasonable time as defined in subsection (17) that he rejects the produce or that he has applied for inspection of said produce;
 - (b) following such inspection, he notifies the seller by wire or the seller’s local representative in writing of his rejection of said produce within an hour after he has received a verbal or written report of the result of such inspection; or
 - (c) in the case of freezing temperature as provided in subsection (17) he shall have notified the seller by wire or the seller’s local representative in writing within twenty-four hours after receipt of notice of arrival of the produce, as to the weather conditions which prevent thorough inspection.
- (2) “acquire produce other than as a retailer”—a person shall be deemed to acquire as a retailer any produce which he receives at or brings to the premises for or at which he pays business tax or licence or otherwise is assessed as a retail dealer;
- (3) “aggregate area” means the total area under consideration if assembled into one circular area of the diameter specified;
- (4) “branch” means any subdivision whether permanent or seasonal of a firm licensed under the Act whose manager or other person

Fruit, Vegetables and Honey Act—continued

responsible for the conduct of the business has discretionary authority in performing the usual functions of a commission agent, dealer or broker;

- (5) "carload" for purposes of fee assessment means from 15,001 lbs. to the total quantity shipped or received in a railway car, truck or vehicle;
- (6) "class" in respect of honey means any group of honeys falling between two definite limits of colour as established on the Dominion Honey Classifier, an instrument so designated commercially which is manufactured to the specifications of, and authorized by the Department;
- (7) "Department" means the Fruit and Vegetable Division, Marketing Service, Department of Agriculture, Ottawa;
- (8) "diameter" means the greatest diameter at right angles to the longitudinal axis;
- (9) "first dealer" in respect of honey means any person who buys or otherwise acquires honey packed by another, for sale under his own label;
- (10) "handpicked" means the fruit shows no evidence of rough handling or of having been on the ground;
- (11) "inspection" means inspection by an inspector appointed under the Act, and "inspected" has corresponding meaning;
- (12) "inspection point" means any point where an inspector is located or any point or area where an inspection can be conveniently made;
- (13) "licensee" means any person who holds an unrevoked and unsuspended licence issued by the Minister under the Act; or held such licence at the time an offence under the Act or regulations was committed;
- (14) "liquid honey" means honey containing not more than five per cent visible crystals and which has been treated to preserve its original liquid form;
- (15) "mature" unless otherwise defined means the fruit has reached the stage of development which ensures completion of the ripening process;
- (16) "properly packed" means that the produce in packages is not slack or overpressed or otherwise in condition likely to result in permanent damage during handling or in transit; and shall also mean
 - (a) if apples in packages of one-half bushel or greater capacity, with the recognized wooden cover properly secured; ring-faced and well tailed if in barrels; packed without bulge if in crates;
 - (b) bags or sacks shall be tightly and securely closed;
 - (c) when tarlatan or other transparent covering is used the fruit shall be well heaped and tightly packed with the cover drawn sufficiently tight and secure to prevent any appreciable movement of the fruit.
- (17) "reasonable time" means a period not exceeding twenty-four hours exclusive of Sundays and legal holidays after receipt of notice of arrival of the produce, unless at the time of the receipt by the buyer of notice of arrival of the produce the temperature is sufficiently below freezing to render a complete inspection danger-

Fruit, Vegetables and Honey Act—continued

ous thereto, commodity and existing weather considered. Under such circumstances a preliminary inspection for the sole purpose of determining whether transit freezing injury is present in the load shall be made or caused to be made as soon as possible after the receipt of such notice of arrival, and further inspection of the produce for the purpose of determining whether the same meets the requirements of the contract may be deferred until such time as temperature and weather conditions will permit such inspection to be safely made. The meaning of the terms "as soon as possible" and "safely made" shall be determined upon a consideration of all the facts and circumstances existing in each case;

- (18) "registered trade name" means any name or trade mark registered with the Dominion Commissioner of Patents;
- (19) "reject" means the act of any person who has purchased produce or offered to handle produce on consignment in
 - (a) refusing or failing to accept such produce or failing to apply for inspection of said produce within a reasonable time as defined in subsection (17);
 - (b) advising the seller or his agent before such produce is shipped or while it is in transit that he will not accept such produce in accordance with his contract or offer; or
 - (c) indicating an intention not to accept such produce through an act or a failure to act either of which is inconsistent with the contract;
- (20) "sized" means that the fruit in a box or crate shall not be of size range greater than $\frac{1}{4}$ inch in diameter except that with apples of box count sizes 138 and smaller the range shall not exceed $\frac{3}{16}$ inch. In order to allow for variations incident to commercial packing not more than five per cent may be outside the size ranges;
- (21) "smooth" means not ridged, angular or indented;
- (22) "sound" means that at time of packing, loading or final shipping point inspection the produce is free from defects known herein-after as "condition defects" such as decay, breakdown, freezing injury, bitter pit, soft or shrivelled specimens, watercore, over-ripe specimens, brown core, corky core or other injury affecting the keeping quality;
- (23) "stemless fruit" means fruit with no portion of the stem remaining attached;
- (24) "superior" means surpassing the average for the variety;
- (25) "tank lot" in respect of honey means the honey contained in any single storage tank or receptacle from which containers or packages are filled at the apiary or packing plant;
- (26) "truly and correctly to account" includes
 - (a) prompt rendering of a true and correct itemized statement of the sale or other disposition of any consignment of produce with full payment of the gross amount for which each such consignment or subdivision thereof is sold less the proper, usual or agreed selling charges with all other expenses necessarily and actually incurred or agreed to in the handling thereof;

Fruit, Vegetables and Honey Act—continued

- (b) the prompt payment of deficits or other adjustments resulting from the handling of produce on consignment;
 - (c) the prompt payment of brokerage duly earned;
 - (d) the payment of the purchase price or other amount due either the seller or the buyer in accordance with the terms of the agreement between the parties concerned in settlement for produce purchased or sold;
- (27) "well formed" means of a shape characteristic of the variety.

LICENSING

Licences

3. (1) Every person required by the Act to be licensed shall make application therefor on a form to be obtained from an inspector or the Department.

(2) Such application shall be for a licence as a dealer or a broker; except that the Department may issue a licence as a broker and dealer to any person under circumstances and limitations satisfactory to the Department.

(3) Any application for licence or renewal of licence as a broker shall be accepted only after satisfactory evidence that the principal or any partner, shareholder, agent or responsible employee of the applicant is not connected as an agent, employee, partner or shareholder of a person to whom the applicant sells or might sell or negotiate sales of produce.

(4) Any application for licence or renewal of licence as a dealer shall be accepted only after satisfactory evidence that the principal or any partner, shareholder, agent or responsible employee is not connected as agent, employee, partner or shareholder of a broker through whom the applicant purchases or might purchase produce.

4. Every person who maintains one or more branches shall obtain a separate licence for each branch.

5. (1) Licences issued under these regulations shall be in such form as the Minister may from time to time prescribe, and shall, if not suspended or revoked, remain valid and effective until March 31st following the date of issue.

(2) Any violation of section 11 by a licensee between the date of expiration and renewal of his licence shall be regarded as an offence under the Act.

6. The annual licence fee shall be twenty-five dollars.

7. Each application for a licence shall be accompanied by a licence fee in the form of a money order, bank draft or certified cheque payable to the Receiver General of Canada.

8. Every licensee shall advise the Department promptly of any change in the principals, ownership, control or name of the business.

9. Any licence shall be subject to suspension for a period not exceeding ninety days or to revocation for any offence prescribed in section 11.

10. Notwithstanding anything contained in section 9 any licence shall be subject to automatic suspension as provided in section 22.

Fruit, Vegetables and Honey Act—continued*Offences*

11. It shall be an offence and cause will be deemed to have been given for suspension or revocation whenever

- (a) any licensed dealer rejects or fails to deliver in accordance with the terms of a contract or purchase or sale, without reasonable cause, any produce bought or sold or contracted to be bought, sold or consigned;
- (b) any licensee fails or refuses truly and correctly to account promptly in respect of any transaction in produce to the person with whom such transaction is had;
- (c) any licensee fails to comply with an award of the Board of Arbitration;
- (d) any licensee fails to meet in full the terms of arrangement or compromise with creditors under the provisions of any statute of Canada or province thereof or otherwise;
- (e) any licensed broker fails promptly to issue a completed confirmation of sale on the form approved by the Department;
- (f) any licensee makes any fraudulent charge in respect of any produce received;
- (g) any licensee discards or destroys, without reasonable cause, any produce received on consignment;
- (h) any licensee reships or transfers on consignment any consigned produce or obtains a commission thereon without prior consent of the shipper given after full and clear disclosure by the licensee to the shipper of all material circumstances, and the onus of establishing such disclosure and the consent of the shipper shall be upon the licensee;
- (i) any licensee fails to give impartial distribution of any produce to or among any persons or without justification, discriminates in price, adjustments, facilities for purchase, supply or otherwise to the detriment of the owner thereof;
- (j) any licensee after receiving from the Department notice so to do fails to pay to a complainant within five days any undisputed portion of an amount claimed to be owing such complainant;
- (k) any licensee makes any false or misleading statement, or omits any important fact in connection with any transaction;
- (l) any licensee, after having been given thirty days' notice of objection, continues to employ in any responsible capacity any person whose licence stands suspended or revoked or who was responsibly connected with any firm, partnership or corporation whose licence stands suspended or revoked within one year prior to the date of such notice;
- (m) any licensee fails to keep intact in an official language of Canada, such accounts, records and memoranda as fully and correctly disclose all transactions in his business, including the true ownership of such business by stockholding or otherwise, for a period of two years;
- (n) any licensee fails or refuses to permit upon demand during business hours any duly authorized representative of the Minister to examine books, records and memoranda or the stock of produce on hand, involved in any investigation under these regulations;
- (o) any licensee receiving a shipment on consignment in a damaged or deteriorated condition fails to make application forthwith for inspection, and if the Department finds it practicable to provide

Fruit, Vegetables and Honey Act—continued

such service, to forward a copy of the inspection certificate for such consigned shipment to the shipper thereof within twenty-four hours of receipt of such certificate or, if the Department finds it impracticable to provide such service to forward a copy of the notation accepted by the carrier. In event of failure to comply with this provision it shall, as against the licensee in the case of any complaint to the Department be presumed *prima facie* that on the arrival of the consigned shipment it was not in a damaged or deteriorated condition;

- (p) any licensee carries on business other than as permitted by his licence;
- (q) any licensee is of substantially the same ownership as or is a branch of any licensee whose licence has been suspended or revoked;
- (r) any licensee contravenes any of the provisions of section 48.

12. The act, omission or failure of any agent, officer or other person acting for or employed by any licensee, within the scope of his employment, shall in every case be deemed to be the act, omission, or failure of the licensee employing such agent, officer or other person.

Complaints

13. (1) Complaints that any licensee has committed any offence mentioned in section 11 may be made to the Department by any interested person including any inspector under the Act, provided, however, that if such complaint is to be made the basis of a claim for damages the complaint must be filed within six months of the date of the alleged offence.

(2) Such complaint shall briefly state the facts and the amount of damage or loss claimed, if any, and be supported by such evidence as may be available, including all original papers or true copies thereof, relating to the transaction under complaint, including shipping documents, letters, telegrams, invoices, manifests, inspection certificates or references thereto, account sales, confirmation of sale and any special contract or agreement.

(3) All contracts and standard confirmations of sale will be interpreted according to the "Standard Rules and Definitions of Trade Terms for the Fruit and Vegetable Industry"; no meaning of such trade terms other than as defined may be alleged or entertained.

(4) All such complaints and answers to complaints shall be in duplicate and at the request of the Department in the form of a statutory declaration or affidavit sworn to by the complainant or the respondent, as the case may be, or, in the case of an incorporated company, by a responsible official thereof; originals or copies of all documents mentioned in subsection (2) hereof shall be attached as exhibits to each declaration or affidavit.

(5) No new evidence may be submitted by a complainant or respondent after the award of the Board of Arbitration has been issued.

(6) In case a complaint is made by a non-resident of Canada the complainant shall be required, before any formal action is taken on his complaint, to furnish a bond acceptable to the Department in double the amount of the claim conditioned upon payment of costs of the Board of Arbitration, the amount of any counter-claim awarded by the said Board, and the respondent's costs if the complainant is unsuccessful; provided

Fruit, Vegetables and Honey Act—continued

that the Department may waive the furnishing of a bond by a complainant resident of a country which under similar legislation permits a resident of Canada to file complaint without the furnishing of a bond.

14. (1) When the Department is of opinion that there are grounds for doing so, an investigation of any complaint may be made. Each party shall be given ample opportunity for presenting his side of the case.

(2) The person conducting the investigation shall have power to call for any books, papers or documents in the possession or control of either or both of the said parties and pertinent records of any broker or of any railway or other carrier or any storage warehouse, and to examine and investigate same.

Arbitration

15. (1) There shall be a Board of Arbitration at Ottawa, to which all complaints of any offence under section 11 may be referred by the Department.

(2) Such Board shall be composed of the Chief, Agricultural Marketing Service of the Department, one representative each of the producing-shipping interests and the buying-distributing interests, the two latter members to be nominees of their respective Dominion-wide associations.

(3) The Chief, Agricultural Marketing Service, shall be Chairman of the Board, and in his absence the Department may appoint an Acting Chairman.

(4) The Board shall meet at the call of the Chairman or Acting Chairman.

(5) The Board shall appoint a secretary who may or may not be a member thereof, and who shall keep accurate minutes of all meetings and decisions of the Board.

16. The Department may, before referring any complaint to the Board, require the complainant to deposit a certified cheque for a specified amount and payable as designated, to be used without recourse to defray the actual expenses of the Board in connection with such complaint, any surplus over such expense to be returned to the complainant.

17. In addition to documentary evidence furnished the Board by the Department, the Board may invite witnesses to testify at the hearing.

18. The Chairman and Acting Chairman of the Board of Arbitration shall have the powers of a Commissioner under the Inquiries Act and shall administer the oath to all persons testifying before the Board.

19. The award of the Board shall be presented to the Department.

20. Upon receipt of such award the complainant shall immediately advise the Department of its acceptance or rejection thereof.

21. Upon receipt of such award the respondent shall

- (a) forward to the Department a statement from the complainant that the award has been satisfied;
- (b) forward to the Department the amount of the award by certified cheque, money order or bank draft in favour of the complainant, which shall be forwarded to the complainant upon advice from him of acceptance of the award in full satisfaction of the claim; or
- (c) if dissatisfied with the award of the Board of Arbitration, request the Department to refer the award to the Board of Review. Such

Fruit, Vegetables and Honey Act—*continued*

request shall be accompanied by a certified cheque, money order or bank draft payable to the complainant for the full amount of the award and another such cheque, money order or bank draft for fifty dollars payable to the Receiver General of Canada, being a fee for convening the Board of Review and defraying any costs thereof.

22. Upon failure of the respondent to take action as prescribed in section 21 his licence shall be automatically suspended at the end of thirty days from the date of mailing of the award of the Board.

23. (1) There shall be a Board of Review at Ottawa to which any award of the Board of Arbitration may be referred for review by a respondent as provided in paragraph (c) of section 21.

(2) Such Board of Review shall meet at the call of the Chairman and shall be composed of the Board of Arbitration or a quorum thereof together with the Director or Associate Director of Marketing Services as Chairman and the Departmental Solicitor.

24. The respondent is entitled to appear in person before the Board of Review and present his reasons why he believes the award of the Board of Arbitration to be in error.

25. If such award of the Board of Arbitration is reversed by the Board of Review, the respondent's cheque, money order or bank draft together with the fifty dollars fee shall be returned to him; if the award is confirmed, the respondent's cheque, money order or draft which was made payable to the complainant shall be forwarded to the complainant.

General

26. A bond satisfactory to the Minister and for such amount as may be prescribed by him and conditioned upon payment of any award of the Board of Arbitration which may be given within the ensuing two years may be required of any licensee, person, firm, partnership or corporation, hereinafter referred to as the applicant, applying for a licence or for renewal or reinstatement thereof,

(1) if such applicant, or any person connected in any responsible capacity with him or it, was a licensee, owner, partner, shareholder, officer of, employee in a responsible capacity of any licensee, or

(2) if such applicant or any person connected in any responsible capacity with him or it, is the parent, husband, wife, brother, sister or child of any person who was a licensee, owner, partner, shareholder, officer or employee in a responsible capacity or any other licensee, who, or which since January 1, 1946,

(a) has been convicted of any offence under section 11,

(b) has failed to pay any award of the Board of Arbitration,

(c) has suffered suspension or revocation of licence,

(d) has made an authorized assignment, or

(e) has entered into any arrangement or compromise with creditors under the provisions of any Statute of Canada or province thereof or otherwise.

27. (1) Upon suspension or revocation of licence the Department shall cause appropriate publication of the facts in order that those doing business with the person whose licence has been suspended or revoked may take due notice thereof.

Fruit, Vegetables and Honey Act—continued

(2) The Department may cause publication of awards of the Board of Arbitration or rulings arising therefrom as may be deemed to be of general interest.

(3) The Department may cause publication of the facts of any complaint whether or not disciplinary action is taken or damages awarded.

28. Notwithstanding anything contained in sections 13 and 14 the Department may at any time investigate the interprovincial and foreign dealings of any person required to be licensed under the Act.

29. Failure to use the "Standard Rules and Definitions of Trade Terms for the Fruit and Vegetable Industry" in completing Standard Confirmations of Sale or other contracts may prejudice any complaint.

30. Repeated violations of any provision of the Act or these regulations or convictions or judgments in any court of competent jurisdiction of any licensee over a period of two years may be considered cause for suspension or revocation of licence.

31. Any inspection certificate or other evidence of inspection may be withheld when the applicant for inspection is not licensed as required under the provisions of sections 10, 11 or 12 of the Act.

CANADIAN FRUIT AND VEGETABLE STANDARDS

32. (1) The Canadian Fruit and Vegetable Standards are the grades as named and defined in schedule A to these regulations;

(2) The name of a Canadian fruit or vegetable grade applied on any container of fruits or vegetables shall constitute a representation that the fruit or vegetable contained therein has been graded, packed and marked in accordance with these regulations;

(3) No person shall represent that a fruit or vegetable has been graded, packed and marked in accordance with these regulations unless such fruit or vegetable complies in every respect with the Canadian Fruit and Vegetable Standards prescribed by schedule A of these regulations and are packed and marked in accordance with these regulations.

INSPECTION

33. (1) Inspection and certification shall be required of produce as prescribed in section 49 and of straight or mixed, express or freight carloads, cargo or truck shipments of or containing

- (a) apples, apricots, beets or carrots without tops, cabbage, cantaloupes, celery, cherries, hothouse cucumbers, grapes, head lettuce, onions without tops, peaches, pears, plums, prunes, potatoes, turnips or rutabagas, or tomatoes grown in British Columbia and to be shipped to any other province;
- (b) apples, winter celery (from October 1 inclusive in each crop season), grapes, onions without tops, peaches, pears, plums, potatoes or tomatoes grown in Ontario and to be shipped to any other province;
- (c) apples or potatoes grown in New Brunswick or Nova Scotia and to be shipped to any other province;
- (d) potatoes or rutabagas grown in Prince Edward Island and to be shipped to any other province.

(2) Except as herein otherwise permitted, no common carrier shall receive for carriage or carry and no person shall for trade purposes, ship,

Fruit, Vegetables and Honey Act—continued

consign or transport any produce named in subsection (1) unless such produce is accompanied by a Release Permit or evidence of inspection as follows,

- (a) Inspection Certificate issued by an inspector certifying that such produce has been inspected and found to comply with the requirements of the Act and regulations;
- (b) "Inspected" card issued for the purpose at the inspector's convenience; or
- (c) Notation upon the shipping bill and way bill of the number and date of the inspection certificate submitted or verified for the purpose to the billing agent by the inspector.

34. At his discretion an inspector may issue a Release Permit for any shipment of produce to move for first inspection to an intermediate or destination inspection point in Canada or for gift shipments of apples for shipment out of Canada.

35. (1) Any person requiring produce to be inspected shall give adequate notice to the resident inspector; if there be no resident inspector at least two days' notice shall be given to the nearest inspector or the Department.

(2) Inspections shall be made as facilities permit and as nearly as practicable in the order in which applications are received.

36. Inspection may be obtained,

- (a) at time of packing or loading at an inspection point;
- (b) at an intermediate highway inspection point if the produce originates at a non-inspection point;
- (c) at shipping point at time of packing in the case of apples for shipment out of Canada; or
- (d) at such place and within such time as may be specified if the product is to move under Release Permit.

37. (1) Inspection certificates covering produce shall be applicable only in case of immediate and continuous movement of produce.

(2) Except as provided in subsection (2) and subsection (3) of section 38 inspected produce shall be deemed not to have been inspected if deterioration in excess of that described in subsection (1) of section 38 has occurred.

38. (1) Packed apples, pears and vegetables for shipment out of Canada from storage shall contain not more than five per cent combined "Condition Defects". (see subsection (22) of section 2).

(2) Condition defects of any lot of apples, pears, plums or cherries shall not apply against the grade at shipping point

- (a) if properly packed and held in storage long enough for the nature and extent of such condition defects to have developed;
- (b) provided that the average percentage of each such defect is stated in the Confirmation of Sale, or other contract, and prior to shipment such document is submitted to the inspector for verification.

(3) Condition defects shall not apply against the grade of any lot of produce at destination.

39. Persons operating storage warehouses shall preserve the identity of each lot of inspected produce held and shall give inspectors sufficient notice of the intended shipment of any produce.

Fruit, Vegetables and Honey Act—continued

40. Produce to be inspected shall be made accessible and so placed as to disclose its quality and condition. Inspectors shall be rendered such assistance as they may require and may cut samples.

41. If the inspector has reason to believe that because of latent defects due to climate or other conditions he is unable to determine the true quality or condition of the produce he shall postpone inspection thereof for such period as in his judgment seems necessary to enable determination of its true quality or condition.

42. (1) Whenever a person financially interested in the produce is dissatisfied with the determination stated in the original inspection certificate he may apply for an appeal inspection. Such application shall state the reasons therefor and may be accompanied by a copy of any previous inspection certificate or other information possessed by the applicant regarding the quality or condition of the produce at the time of original inspection.

(2) Applications for appeal inspections shall be denied if

- (a) the reasons stated in the application are unsubstantial;
- (b) the produce cannot be made accessible for inspection;
- (c) the lot has lost its identity;
- (d) less than seventy-five per cent of the original lot is available for inspection; or
- (e) the condition of the product has materially changed.

(3) An appeal inspection certificate which shows the original inspection to have been incorrectly certified shall nullify the original inspection certificate.

43. (1) Inspection certificates shall be issued in quadruplicate; the original and one copy to be retained by the Department and two copies to be delivered or mailed to the applicant.

(2) If the shipper resident in Canada is not the applicant for inspection of Canadian produce, a copy of the certificate shall be delivered or mailed to him without fee.

DETENTION AND RELEASE

44. (1) An inspector detaining under section 21 of the Act any lot of produce or produce packages may at any time and at any place attach thereto a numbered detention tag and no person shall sell or offer for sale, move, allow or cause to be removed any such produce or produce packages or remove such detention tag without the written authority of an inspector.

(2) Every person contravening any of the provisions of this subsection shall be liable upon summary conviction to a fine not exceeding two hundred dollars and not less than fifty dollars; and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid.

45. (1) Within twenty-four hours after placing any produce or produce packages under detention the inspector shall deliver or mail to the packer, shipper, owner or person in possession of such produce or produce packages, a duly completed form of Detention Notice.

(2) When the inspector is fully satisfied that any such produce or produce packages have been brought into compliance with the provisions of the Act and these regulations, he may release such produce and produce packages by issuing a duly completed Detention Release.

Fruit, Vegetables and Honey Act—continued

(3) The Detention and Release forms shall be issued in quadruplicate, the original and one copy to be retained by the Department, one copy to be delivered or mailed to the responsible party and one copy to be retained by the inspector.

FEEES

46. (1) For each inspection performed, whether for fresh market or for processing purposes, a fee shall be paid by the applicant

- (i) upon delivery of the certificate,
 - (ii) in the case of charge accounts upon receipt of a bill from the Department, or
 - (iii) in advance of inspection if so required by the inspector,
- as follows:

Fruit and Vegetables

- (a) for shipping point inspection: \$4 per carload of one product; \$5 per carload of more than one product inspected;
- (b) for destination inspection: \$5 per carload of one product; \$6 per carload of more than one product inspected;
- (c) for appeal inspection: double the usual fee provided however that when the appeal certificate reverses the original inspection in whole or in part no fee shall be charged;
- (d) for inspection in storage: \$2 per carload for Canadian produce which has had shipping point inspection but requires re-certification for forwardence;
- (e) for inspection in transit: \$2 per carload for produce which has had shipping point inspection and inspection is requested during trans-shipment or upon re-shipment;
- (f) for inspections other than a "carload" for example: cargo, express and freight shipments, re-shipments and "local" maturity inspections, etc.:
 - (i) the fee shall be based on the total gross weight according to the following schedule with a minimum fee of \$1.00 for each certificate; in computing the total gross weight, the total weight according to package and product as established by the Department shall be used.

<i>Gross Weight</i>	<i>Amount of Fee</i>
up to 6,000 lbs.	\$ 1.00
6,001— 9,000	1.50
9,001—12,000	2.00
12,001—15,000	2.50
15,001—18,000	3.00
18,001—21,000	3.50
21,001—24,000	4.00
24,001—27,000	4.50
27,001—30,000	5.00
30,001—33,000	5.50
33,001—36,000	6.00
36,001—39,000	6.50
39,001—42,000	7.00
42,001—45,000	7.50
45,001—48,000	8.00
48,001—51,000	8.50
51,001—54,000	9.00
54,001—57,000	9.50
57,001—60,000	10.00

Fruit, Vegetables and Honey Act—continued

- (ii) for lots exceeding 60,000 lbs. an additional 50 cents for each 3,000 lbs. or part thereof, or the fee may be assessed in accordance with subsection (2), whichever is the lesser, but in either case with a minimum fee of \$10.00.

Honey

- (g) For honey inspections, except as otherwise provided in section 95,
 - (i) at shipping point or destination one-sixtieth cent per pound, minimum fee \$1 but one-twentieth cent per pound with minimum fee 25 cents for a small quantity inspected together with a carlot quantity;
 - (ii) for appeal inspection, one-thirtieth cent per pound, minimum fee \$2, provided however that when such inspection proves the original inspection to have been incorrectly certified no fee shall be charged and the original certificate shall be deemed automatically annulled by issuance of the appeal certificate.

(2) The Department may vary inspection fees to meet conditions at various points or where the services required are of a particular nature or the fee may be assessed at the rate of \$10 per day, \$5 per half-day or \$2 per hour for each inspector.

(3) Upon request by any person financially interested and payment of a fee of \$1, not more than four copies of a particular inspection certificate may be supplied provided that no fee shall be charged for not more than two copies of a certificate if requested before issuance of the certificate.

(4) For a Release Permit as provided in section 34 a fee equivalent to the applicable inspection fee shall apply and be payable by the applicant provided that no fee shall be charged for gift shipments of five packages or less.

(5) The Department may require reimbursement for travelling expenses, telegrams, telephones or other items paid or incurred in connection with any inspection or re-inspection made at a place other than an inspection point or other than where the request for such inspection is filed with an inspector.

47. Notwithstanding anything to the contrary in these regulations, any inspection certificate or other evidence of inspection may be withheld as required

- (a) to give effect to instructions issued through the Department for regulation of export or inter-provincial shipment of any kind, variety or grade of produce;
- (b) for enforcement of the provisions of sections 10, 11 or 12 of the Act.

EXPORTS AND IMPORTS

48. No common carrier shall receive for carriage or carry out of Canada and no person shall for trade purposes ship, consign or transport out of Canada any fruit or vegetables produced in Canada of kind as follows: apples, apricots, asparagus, beets or carrots without tops, cabbage, cantaloupes, celery, cherries, grapes, head lettuce, onions without tops, parsnips, peaches, pears, plums, prunes, potatoes, rutabagas or tomatoes, or extracted

Fruit, Vegetables and Honey Act—continued

honey produced in Canada, nor shall Collectors of Customs and Excise permit exportation thereof unless accompanied by evidence of Government inspection as follows

- (a) Export Inspection Certificate signed by an inspector of the Fruit and Vegetable Division,
- (b) "inspected" card issued for the purpose at the inspector's convenience, or
- (c) notation upon the shipping bill and waybill of the number and date of the inspection certificate submitted or verified for the purpose to the billing agent by the inspector.

49. Subject to the provisions of section 47, inspectors shall issue Export Inspection Certificates for the produce named in section 48 only as follows

- (a) apples meeting the requirements of any of the grades established except "Canada Hailed" and "Canada Commercial or 'C' Cookers";
- (b) pears meeting the requirements of any of the grades established other than Canada No. 3 grade;
- (c) potatoes meeting the requirements of any of the grades established other than Canada No. 2 grade;
- (d) honey meeting the requirements of any of the grades established other than sub-standard grade;
- (e) other fruit or vegetable meeting the requirements of the grades established.

50. No person shall for trade purposes import nor shall Collectors of Customs and Excise accept entry of fruit or vegetables of any kind named in section 48 unless such entry is accompanied by a Government Inspection Certificate that at the place and time of direct shipment or movement to Canada the produce "meets Canadian import requirements," as follows

- (a) apples shall not be below the requirements of Canada Commercial or "C" grade;
- (b) pears shall not be below the requirements of Canada Commercial or "C" grade;
- (c) potatoes shall not be below the requirements of Canada No. 1 grade;
- (d) other fruit and vegetables shall not be below the requirements of the lowest grade established for movement of such produce between provinces in Canada.

51. Importations from the United States of America may be considered in compliance with the foregoing if the accompanying United States Government Inspection Certificate is endorsed by the United States' inspector "meets Canadian import requirements" as follows:

- (a) apples shall meet the requirements of one or other of the following grades, namely, U.S. Extra Fancy, U.S. Fancy, U.S. No. 1 or U.S. No. 1 Cookers, of $2\frac{1}{4}$ inches minimum diameter or 234 box count size, and additionally the condition requirements of "Standards for Export" as defined by the United States Department of Agriculture;

Fruit, Vegetables and Honey Act—continued

- (b) pears shall meet the requirements of one or other of the following grades, namely, U.S. Extra No. 1, U.S. No. 1, U.S. Combination or U.S. No. 2, with condition defects after storage or transit not exceeding five per cent, but not more than $\frac{3}{5}$ of this tolerance or three per cent shall be allowed for decay or internal breakdown;
- (c) potatoes shall not be below the requirements of U.S. No. 1 grade, Size A, according to the Official Standards for Potatoes, U.S. Department of Agriculture, provided that until August 31 inclusive in each calendar year a minimum diameter of $1\frac{7}{8}$ inches is the only size requirement for new potatoes;
- (d) peaches shall not be below the requirements of U.S. No. 2 grade and of minimum diameter 2 inches;
- (e) asparagus shall not be below the requirements of U.S. No. 2 grade and not less than $\frac{2}{3}$ of the stalk length shall be a green colour;
- (f) other fruit and vegetables (named in section 48) shall meet the requirements of one of the grades established by the United States Department of Agriculture for the product.

52. Government inspection required by sections 49 and 50 may be obtained

- (a) where the shipment or movement originates;
- (b) if not obtainable where the shipment or movement originates, at a point intermediate to the Canadian frontier port of entry;
- (c) if not obtainable as provided in paragraphs (a) or (b), inspection under the Act may be obtained at the Canadian port of entry if an inspection point; or
- (d) if available as provided in paragraphs (a) or (b) but not requested, may at the discretion of the Department be obtained at the Canadian port of entry if an inspection point, at three times the applicable inspection fee.

53. No produce shall be shipped out of or into Canada in packages so stained, soiled, warped or otherwise deteriorated as materially to affect its appearance or saleability.

54. Notwithstanding sections 59 to 67 inclusive, produce may be imported and sold in any package of not more than two per cent below or six per cent above the cubic capacity of the comparable package established for the product in Schedule B to these regulations.

55. Packages containing imported fruit or vegetables shall be marked to indicate the country of origin.

56. (1) Notwithstanding anything in these regulations and except as provided in subsection (3), no person shall for trade purposes import nor shall Collectors of Customs and Excise accept entry of fresh fruit or vegetables of kinds grown in Canada unless such entry is accompanied by conclusive evidence that the importer purchased such goods not later than twenty-four hours, exclusive of Sundays and legal holidays, after time of shipment from the point of production.

(2) The importer shall furnish to the Collector of Customs not later than the second business day after shipment from point of origin, written

Fruit, Vegetables and Honey Act—continued

notice of the transaction together with a standard Confirmation of Sale, exchange of telegrams or other contract with the vendor as evidence of such purchase; the Collector of Customs shall time stamp such written notice and return one copy to the importer to be attached to the customs entry.

(3) Truck shipments and carlot shipments of mixed fruit and vegetables originating at any point intermediate to the point of production, may be imported provided that no one product of a kind grown in Canada exceeds one-third by weight of the entire lot of fresh fruit and vegetables tendered for import; written notice of such shipments shall be furnished to the Collector of Customs at the time of purchase, as prescribed in subsection (2), or, in the case of movement by truck, by telegram from the person making the customs entry to the Collector of Customs at the border port of entry.

57. Notwithstanding anything contained in section 56 a quantity not exceeding one thousand pounds of products of kinds grown in Canada may be entered at Customs by or on behalf of one person in any one day, but not more than one entry under this section may be made in respect of any one vehicle in any one day.

58. (1) No person shall import extracted honey for trade purposes except in accordance with the following provisions

- (a) the quality of the honey shall not be below the requirements of No. 3 grade;
- (b) the containers shall be of one of the sizes specified in section 89;
- (c) the labels on the containers shall be clearly and indelibly marked in letters of size reasonably proportionate to the size and design of the label as approved by the Department, with the following marks
 - (i) the word "Honey",
 - (ii) the initials and full surname and address of the packer or first dealer,
 - (iii) the net weight of the contents,
 - (iv) the name of the country of origin preceded by the words "Product of";
- (d) the outer wrapper or enclosure of the container or lot of containers shall be clearly and indelibly marked in block letters not less than $\frac{3}{8}$ of an inch in length with the following marks
 - (i) the word "Honey",
 - (ii) the initials and full surname and address of the packer or first dealer,
 - (iii) the number and size of containers enclosed,
 - (iv) the net weight of honey contained in the wrapper or enclosure,
 - (v) the name of the country of origin preceded by the words "Product of".

(2) No person shall for trade purposes import nor shall Collectors of Customs and Excise accept entry of any extracted honey unless such entry is accompanied by an affidavit in duplicate, taken before a Justice

Fruit, Vegetables and Honey Act—continued

of the Peace or other person duly authorized in the country of origin to attest such affidavit, in the following form:

Place

Date

To the Collector of Customs and Excise,
Canada

at.....

I (or We).....do solemnly swear (a) that the honey described herein is pure honey as defined by the Food and Drug Regulations of Canada; (b) that the honey is at time of shipment sound, wholesome and fit for human food; (c) that the honey was packed under the sanitary conditions provided for in section 92, of the Fruit, Vegetables and Honey Regulations; (d) that the quality of the honey is at least equal to the minimum grade requirements of No. 3 grade honey established by the Fruit, Vegetables and Honey Regulations; (e) that the honey is packed in containers of sizes standardized in section 89 of the Fruit, Vegetables and Honey Regulations, or (in the case of novelty packs authorized by the Department) of sizes approved in writing by the Department; (f) that containers and packages are marked in accordance with section 58 of the regulations made under the Fruit, Vegetables and Honey Act; and (g) that the shipment is truly and correctly described as follows

Name and address of packer or first dealer

Name and address of shipper

Name and address of consignee

No. of packages Net weight of each

No. and kind (paper, metal, glass) of containers in each package.....

Net weight in each container

Grade marks (if any)

Inspection Certificate No., if graded,

Identification marks

.....
Signature of Shipper

Sworn before me thisday of..... 19.....

.....
(Signature of Commissioner or
Justice of the Peace).

Fruit, Vegetables and Honey Act—continued

(3) Nothing in the provisions of subsections (1) and (2) shall preclude the use of grade marks authorized by legislation of the country of origin if the shipments so marked are accompanied by an Inspection Certificate issued by a duly authorized inspector in the country of origin certifying that the honey meets the requirements of the grade marked.

(4) No person shall repack any imported honey except in accordance with the following provisions

- (a) imported honey shall be repacked in containers of one of the sizes specified in the Honey Regulations;
- (b) proofs of all container labels intended for use on repacked imported honey shall be submitted in duplicate to the Department for approval;
- (c) when imported honey is blended with Canadian honey the blended product shall be classified, graded and marked in accordance with the Honey Regulations and the containers and packages shall be further marked "BLEND OF IMPORTED AND CANADIAN HONEY";
- (d) when imported honey is repacked, unblended with Canadian honey, the containers and packages shall be marked with the word "Honey", the initials and full surname and address of the packer, or the initials and full surname and address of the first dealer and the packer's allotted number, the net weight of the contents and the name of the country of origin preceded by the words "Product of";
- (e) the marks specified in paragraphs (c) and (d) shall appear in the manner provided in subsection (6) of section 85 and subsections (3), (6) and (7) of section 86 respectively.

PACKAGES

59. Subject to subsection (3) of section 60 all produce packages standardized in these regulations when manufactured in Canada or for use in Canada shall be of the dimensions specified in Schedule B of these regulations; except that the Department may authorize the manufacture and experimental use of other packages if identified and distributed as prescribed by such authorization.

60. (1) Standard packages hereinafter prescribed in Schedule B of these regulations and identified with a particular product shall be used only for such product;

(2) Standard packages hereinafter prescribed but not identified with a particular product may be used for any product;

(3) Fruit or vegetables for which no standard packages are specified may be packed in any container suitable for the product;

(4) Fruit for which grades are prescribed by the Act and regulations thereunder may be packed in any suitable package if for processing and moving under detention.

61. Potatoes grown in New Brunswick, Prince Edward Island or Nova Scotia shall be packed in new containers when shipped or transported out of the province of origin.

Fruit, Vegetables and Honey Act—continued

62. No package shall be used, transported, offered for sale or sold as a container for produce which is damaged or soiled sufficiently that the shipping or marketing quality of produce packed therein may be injuriously affected.

63. (1) All material manufactured for use in the construction of standard produce packages made of wood shall be good, sound, strong and clean, and shall be as nearly as practicable of the dimensions specified in these regulations;

(2) Apple, pear and potato barrel stock shall be cut, properly seasoned and jointed so as to ensure the construction of a firm, tight, standard package; apple and pear barrels shall be free from discolouration;

(3) Material used in the manufacture of boxes, crates or lugs shall not contain more than one loose knot in each piece of shook, which shall be not more than $1\frac{1}{4}$ inches in diameter, except that in the case of cherry lugs, it shall be not more than $\frac{3}{4}$ of an inch in diameter, and such knot in any piece of shook shall be at least $\frac{1}{2}$ inch from any edge.

64. Not more than one cleat at each end shall be used under the cover on any box or lug, such cleat to be not more than $\frac{5}{16}$ inch in depth, except that the depth of cleat shall not apply for large size peaches, apricots and plums.

65. The dimensions for barrels, half-barrels and bushel barrels apply to packages made from hardwood and when made from softwood where the thickness of the head is increased it is necessary to lengthen the stave so as to ensure the prescribed distance between heads and circumference at bilge.

66. Fruit and vegetable packages herein standardized shall conform to the weights, dimensions and capacities in Schedule B of these regulations and unless otherwise stated all dimensions are inside measurements.

67. The provisions of sections 59 to 66 inclusive do not apply to

- (a) fruit packed in packages having trays or fillers wherein it is intended to have a separate compartment for each fruit;
- (b) produce packed in bags or other containers not standardized in these regulations which contain less than ten pounds net weight.

MARKING

68. (1) Every person who packs, ships, transports, sells, offers for sale or has in possession for sale any fruit or vegetable in a closed package shall mark the package with his initials and full surname and address (or in the case of a firm or corporation, with the firm or corporate name and address), a proper designation of the grade of the fruit or vegetable as named and defined in the regulations respecting grades.

(2) Such marks shall include, if the produce be

- (a) apples and pears, the name of the variety excepting pears in wood veneer baskets;
- (b) apples, pears and peaches when in tiered packs (other than wood veneer baskets), the number of specimens in each package;
- (c) apricots and plums packed in closed 4-basket crates, the number of specimens on the top layer of the basket each way as follows: 4 x 4; 4 x 4 x 5; 5 x 5; or as the case may be; these packs shall not be more than three layers deep and, in order to achieve uniformity in sizing, the pack may be broken once in each basket;

Fruit, Vegetables and Honey Act—continued

- (d) potatoes in bags or crates, the words "Table Potatoes";
- (e) beets, cabbage, carrots, onions, parsnips, potatoes, and turnips in bags, the net weight of contents;
- (f) beets, carrots, onions and parsnips, when the size is specified same to be marked on each package or tag;
- (g) celery, the number of stalks contained;
- (h) potatoes or turnips packed by any person or persons other than the person shown as the packer, shipper or dealer, a number or other mark on each package identifying the packer thereof and the loader or shipper shall include in each car a loading sheet giving the number of bags of each such number or mark.
- (i) peaches in other than standard peach boxes one of the following size ranges—"2 in. min.", "2½ in. min." or "2¼ in. min."

(3) The grade of any vegetable shipped in bulk in carloads shall be included on the invoice, the bill of lading and the waybill.

(4) Spanish type onions grown in Canada from imported or certified seed may be so designated only by marking or otherwise employing the words "Spanish type onions".

69. (1) Every person who packs, ships, transports, sells, offers for sale or has in his possession for sale any fruit or vegetable in an open package shall mark the package with the initials of his Christian names and his full surname and address, or in the case of a firm or corporation, with the firm or corporate name and address.

(2) All marks required on closed packages as provided by these regulations shall also apply to open packages of apples, cantaloupes, tomatoes or celery.

70. In addition to other marks required, all packages containing untiered apples shall be marked to indicate the minimum and maximum size unless the minimum size is 2½ inches or larger when the marking may be "2½ inches and up" or as the case may be. (*see* subsection (13) of section 1 of Schedule A of these regulations.) These marking requirements shall not apply to Climax baskets or packages marked "Cookers".

71. In addition to other marks required each closed package of field rhubarb shall be marked with the minimum net weight of forty-two pounds, provided that closed 11-quart wood veneer baskets shall be marked with the minimum net weight of twelve pounds.

72. Any person dealing wholesale in fruit or vegetables who uses a number to designate his packers or shippers shall submit annually to the Department a register of such numbers in numerical sequence and shall immediately notify of any additions or transfers in such lists; all packages shall be marked with the name and address of the person dealing wholesale and the correct number allotted.

73. Any person using a label on produce packages may at any time be required to submit same to the Department for approval.

74. (1) Every manufacturer of barrels shall cause each package to be marked with the words "manufactured by" and with the initials of his Christian names and the full surname and address.

Fruit, Vegetables and Honey Act—continued

(2) Each bundle of barrel hoops, heads or staves shall be marked to identify the manufacturer thereof.

75. Except in the province of British Columbia packages of apples held in storage for shipment out of Canada shall, until the apples are packed for such shipment, be marked to indicate the orchard in which the apples were grown.

76. (1) All marks required by these regulations, other than as specified in section 75 shall be

- (a) indelible, plain, and of size reasonably in proportion to the size of the package, label or stencil;
- (b) placed on one end of boxes, crates, lugs or headed barrels;
- (c) placed on the lid, handle or one end of other packages;
- (d) in the case of bags, stencilled, printed, interwoven or on a suitable tag attached, provided that an insert may be used in transparent bags.

(2) A label may be used in the case of wood veneer baskets with transparent covers if such label is placed directly under and is plainly legible through the cover, provided that the grade designation shall be marked on the package itself.

77. Lithographed or printed labels may be used on boxes and if of durable material and varnished may be used on barrel heads.

GENERAL

78. No person in possession of or handling produce to or from any railway car, vessel or vehicle at any point intermediate to the final destination of the produce shall fail to handle the produce with due care and adequate protection from freezing cold or other condition likely to damage the produce, and it shall not be considered sufficient reason for permitting exposure that a train or a vessel or the produce would have been delayed; it shall be deemed careless handling

- (a) to delay, in any way, or for any reason, the movement of produce to or from the railway car or vessel, or the securing against freezing cold or other condition after such movement, when such delay might or does result in damage;
- (b) to move produce to or from the railway car or vessel during weather or other condition likely to cause damage to the produce despite all precautions possible to be taken;
- (c) for any person to proceed against the recommendation of an inspector that the produce should not be exposed or continue to be exposed.

79. No person shall for fresh purposes, pack, transport, ship, sell, offer for sale or have in possession for sale any produce for which grades are not provided in the regulations contained, which is immature or so diseased or otherwise affected as to be unfit for human consumption.

80. These regulations do not apply to gift shipments of five packages or less, or experimental or exhibition shipments, or such other shipments as may be authorized by the Minister.

Fruit, Vegetables and Honey Act—continued**HONEY**

81. (1) The classes for honey for shipment out of Canada are:

- (a) Extra White—When in liquid form the honey shall be no darker in colour than that colour designated as Extra White on the Dominion Honey Classifier;
- (b) White—When in liquid form the honey shall be no darker in colour than that colour designated as White on the Dominion Honey Classifier;
- (c) Golden—When in liquid form the honey shall be no darker in colour than that colour designated as Golden on the Dominion Honey Classifier;
- (d) Light Amber—When in liquid form the honey shall be no darker in colour than that colour designated as Light Amber on the Dominion Honey Classifier;
- (e) Dark Amber—When in liquid form the honey shall be no darker in colour than that colour designated as Dark Amber on the Dominion Honey Classifier;
- (f) Dark—When in liquid form the honey shall be darker in colour than that colour designated as Dark Amber on the Dominion Honey Classifier;
- (g) Unclassified—Shall only include honey in retail or consumer containers and not marked with a specific colour classification.

(2) The classes for honey other than for shipment out of Canada are:

- (a) White—When in liquid form the honey shall be no darker in colour than that colour designated as White on the Dominion Honey Classifier;
- (b) Golden—When in liquid form the honey shall be no darker in colour than that colour designated as Golden on the Dominion Honey Classifier;
- (c) Amber—When in liquid form the honey shall be no darker in colour than that colour designated as Amber (Light Amber) on the Dominion Honey Classifier;
- (d) Dark—When in liquid form the honey shall be darker in colour than that colour designated as Amber (Light Amber) on the Dominion Honey Classifier.

82. (1) The grades for honey are No. 1, No. 2, No. 3 and Sub-standard.

No. 1 GRADE

(2) No. 1 honey is:

- (a) honey of moisture content not exceeding 17·8 per cent, or with a minimum specific gravity reading of 1·4184 at 68 degrees Fahrenheit referred to water at the same temperature, in the domestic classes of “White”, “Golden”, “Amber” and “Dark” and in the export classes of “Extra White”, “White” and “Golden”;
- (b) honey of moisture content not exceeding 18·6 per cent, or with a minimum specific gravity reading of 1·4129 at 68 degrees Fahrenheit referred to water at the same temperature, in the export classes of “Light Amber”, “Dark Amber” and “Dark”;
- (c) free from damage and foreign material.

Fruit, Vegetables and Honey Act—continued

No. 2 GRADE

- (3) No. 2 honey is:
 - (a) honey of moisture content not exceeding 18·6 per cent, or with a minimum specific gravity reading of 1·4129 at 68 degrees Fahrenheit referred to water at the same temperature;
 - (b) free from serious damage;
 - (c) fairly free of foreign material.

No. 3 GRADE

- (4) No. 3 honey is:
 - (a) honey of moisture content not exceeding 20 per cent, or with a minimum specific gravity reading of 1·4033 at 68 degrees Fahrenheit referred to water at the same temperature;
 - (b) free from serious damage;
 - (c) fairly free of foreign material.

SUB-STANDARD GRADE

- (5) Sub-standard honey is:
 - (a) honey of moisture content not exceeding 20 per cent or with a minimum specific gravity reading of 1·4033 at 68 degrees Fahrenheit referred to water at the same temperature;
 - (b) wholesome and fit for food;
 - (c) free from adulteration within the meaning of paragraph (d) of section 4 of the Food and Drugs Act.
- (6) Honey otherwise meeting the requirements of the grades established by this section may be of moisture content not exceeding 20 per cent if pasteurized in an establishment registered with the Department and marked as required in these regulations.

(7) When honey is granulated it may, at the option of the packer, be further described as being of “Fine”, “Medium” or “Coarse” texture, but no honey shall be offered for sale or sold so marked until it is granulated.

(8) Definitions of terms:

- (a) “damage” means injury caused by turbidity, overheating or any objectionable flavour or aroma from floral source, honeydew, smoke taint or other flavour or aroma foreign to honey and in the case of granulated honey, foam in excess of minor frosting shall be considered damage;
- (b) “fairly free from foreign material” means that the honey or its surface is as clear as if strained at temperature of not more than 130 degrees Fahrenheit through a standard bolting cloth of 23 meshes to the inch;
- (c) “free from foreign material” means that the honey or its surface is as clear as if strained at temperature of not more than 130 degrees Fahrenheit through a standard bolting cloth of 86 meshes to the inch;
- (d) “pasteurized” means that the honey has been treated by the controlled application of heat to a point where all yeasts are destroyed, in a plant registered with and operating under the supervision of the Department;
- (e) “serious damage” means any injury, defect or deterioration seriously affecting the edibility, appearance or shipping quality of the honey;

Fruit, Vegetables and Honey Act—continued

- (f) "turbidity" means an inherent cloudiness due to heavy pollen content or obscure causes natural to some honey in the liquid state, and shall constitute "damage" only in honey packed and offered for sale as "Liquid" honey, when it is so pronounced as to materially affect the appearance of the honey.

GENERAL TOLERANCES

(9) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper classification, grading and packing:

- (a) 10 per cent in any tank lot in the grades No. 1 and No. 2 but no tolerance for honey below the next lowest class or grade;
- (b) no tolerance shall be allowed for "serious damage" in No. 2 or No. 3 grades.

MARKING OF TANK LOTS

83 (1) Every tank lot of honey shall be assigned a tank lot number by the packer, such tank lot numbers to run consecutively throughout the calendar year commencing with number 1.

(2) Every outer wrapper or enclosure of a container or lot of containers of honey shall be marked at the apiary or packing plant at time of packing with the number of the tank lot from which it was filled, also the final figure in the number of the year in which it was packed (thus 1/7 or $\frac{1}{7}$ —the upper or first number 1 indicating the tank lot and the lower or latter number 7 indicating the year 1947 in which the honey was packed) and where a single package is only partially filled from one tank lot and the filling completed from another tank lot, both tank lot numbers shall be so marked.

IDENTIFICATION OF PACKER ON FIRST DEALER LABEL

84. Where honey is packed under a first dealer's label, a number may be used to identify the packer if the names and address of all packers and corresponding numbers allotted are filed annually with the Department by the first dealer; such number shall appear in brackets immediately following the first dealer's name and address, on all containers, wrappers and enclosures, as follows:

John Doe Co. Ltd.,
Winnipeg, Manitoba
(62)

PACKAGE MARKS

85. (1) Every person who packs, transports, ships, advertises, displays, sells, offers for sale or has in possession for sale any honey shall mark each wrapper or enclosure of one or more containers of honey in accordance with this clause.

- (2) Each wrapper or enclosure shall be marked with
- (a) the words "Canada" or "Canadian" and "Honey";
- (b) the class and grade;
- (c) the name and address of the packer, or the name and address of the first dealer together with the packer's allotted number;
- (d) the number and size of containers enclosed;

Fruit, Vegetables and Honey Act—continued

- (e) the net weight of honey contained in the wrapper or enclosure;
- (f) the words "Liquid Honey" or "Liquid" if the honey has been treated to preserve its original liquid form;
- (g) the word "Pasteurized" in conjunction with and in letters of the same size and visibility as those indicating the class and grade, if the honey was pasteurized in an establishment registered with the Department;
- (h) the tank lot number;
- (i) the registration number identifying the shipper.

(3) The address shall include the name of the province.

(4) In the case of an individual the name shall consist of the initials and full surname and in the case of a firm or corporation the name shall consist of the firm or corporate name.

(5) Where a packer or a first dealer packs or sells under a registered trade name, the trade name may be used in lieu of name and address.

(6) All marks shall be in distinctly legible block letters of a size not less than $\frac{3}{8}$ of an inch in length and, except in the case of barrels and half-barrels, shall be confined to one side and one end of the wrapper or enclosure; the side and end of the wrapper or enclosure bearing the marks shall bear no additional marks other than those placed thereon by an inspector.

CONTAINER MARKS

86. (1) This section does not apply in respect of shipments out of Canada.

(2) Every person who packs, transports, ships, advertises, displays, sells, offers for sale or has in possession for sale any honey shall mark the label of each container in accordance with this section.

(3) Unless otherwise provided in this section, all marks shall appear on the main panel of the label together with any vignette, brand name or trade mark in clearly legible letters of size reasonably proportionate to the size and design of the label as approved by the Department.

(4) Glass containers shall be marked with

- (a) the word "Honey";
- (b) the class and grade;
- (c) the words "Liquid Honey" or "Liquid" if the honey has been treated to preserve its original liquid form;
- (d) the word "Pasteurized" in conjunction with and in letters of the same size and visibility as those indicating the class and grade, if the honey was pasteurized in an establishment registered with the Department;
- (e) the net weight;
- (f) the name and address of the packer, or the name and address of the first dealer together with the packer's allotted number.

(5) All other containers shall be marked with

- (a) the net weight;
- (b) the name and address of the packer, or the name and address of the first dealer together with the packer's allotted number;
- (c) the word "Honey";
- (d) the class and grade;

Fruit, Vegetables and Honey Act—continued

- (e) the words "Liquid Honey" or "Liquid" if the honey has been treated to preserve its original liquid form;
 - (f) the word "Pasteurized" in conjunction with and in letters of the same size and visibility as those indicating the class and grade, if the honey was pasteurized in an establishment registered with the Department.
- (6) All marks required by paragraphs (a) and (b) of subsection (5) may be placed elsewhere than on the main panel of the label but shall appear in clearly legible letters of a size reasonably proportionate to the size and design of the label.
- (7) The marks required by paragraph (e) of subsection (5) may be placed on the lid or cover of the container in letters not less than $\frac{1}{4}$ of an inch in length.
- (8) The address shall include the name of the province.
- (9) In the case of an individual the name shall consist of the initials and full surname and in the case of a firm or corporation the name shall consist of the firm or corporate name.

APPROVAL OF LABELS

87. (1) With the exception of persons using manufacturers' stock design labels, all persons who pack honey shall submit to the Department two copies of all container labels intended to be used; no such label shall be used until approved and such persons shall produce approved labels for inspection when so required by an inspector.

(2) All manufacturers of stock design labels shall submit to the Department two copies of all stock design container labels intended for distribution to honey producers and packers; no such label shall be manufactured or distributed until approved and manufacturers shall produce approved stock design labels for inspection when so required by an inspector.

(3) Manufacturers' stock design labels may be approved *en bloc*, and in blank, for manufacturers, and persons using such labels shall properly complete them with such marks as are required by these regulations.

(4) No person shall use any approved stock design or other label on honey of other than Canadian origin without the written authority of the Department.

TEXTURE—GRANULATED HONEY

88. (1) In the case of granulated honey only, the words "Fine" or "Medium" or "Coarse" may be added after the class and grade designation on containers and packages to indicate the texture of the honey (e.g., "GOLDEN No. 1 COARSE").

(2) Where an indication of texture is made it shall be in letters of the same size as the class and grade marks.

CONTAINERS AND PACKAGES

89. (1) Honey shall be packed in clean, sound and strongly constructed containers approved by the Department and of one of the following sizes:

any size up to and including 5 ounces, 8 ounces, 12 ounces, 1 pound, 2 pounds, 4 pounds, 8 pounds, 30 pounds, 40 pounds, 60 pounds, 65 pounds, 70 pounds net weight, or $\frac{1}{2}$ barrel and barrels of unspecified sizes.

Fruit, Vegetables and Honey Act—continued

(2) Containers of honey shall be packed in clean, well constructed packages that are in good condition and not defaced by old markings.

(3) Containers of extracted honey shall be securely closed by means of screw caps, friction top lids, bungs, or otherwise as approved by the Department.

REGISTRATION

90. (1) Every person who ships honey in export or interprovincial trade shall apply to the Department for registration as a shipper; the registration fee is one dollar annually in advance.

(2) No fee for renewal of registration is required of any person shipping only honey of his own production if such person was registered in the year immediately preceding.

(3) Every person who proposes to pasteurize or to pack pasteurized honey shall apply for registration as an operator of a pasteurizing plant, which may be issued after an inspector has reported favourably upon the suitability of the equipment and premises for the purpose, and the prospective volume of the pack; the registration fee is five dollars annually in advance for a person who proposes to pasteurize only honey of his own production, and ten dollars for other persons.

(4) A person registered under subsection (3) is not required to pay a fee for registration under subsection (1).

(5) All registrations under this section shall expire with and be renewable on June 30 of each year.

(6) Any registration under this section may be suspended or revoked at any time for failure on the part of the registrant to comply with all requirements of the Act and regulations.

PASTEURIZING PLANTS

91. Persons operating pasteurizing plants shall keep an accurate record of their packs which shall be available to the Department at all times, indicating,

- (a) the quantity, colour and grade of each tank lot of honey packed and the size and type of containers into which it was packed;
- (b) the quantity of honey purchased and the persons from whom it was purchased; and
- (c) the quantity of honey packed on a custom basis and the persons for whom it was packed.

SANITARY CONDITIONS

92. The following sanitary conditions shall be observed and maintained in the extracting, packing, handling, storing or transporting of honey

- (a) all buildings or rooms shall be maintained in a clean and sanitary condition;
- (b) all appliances, including extractors, pumps, tanks, uncapping machines, or other equipment used in the handling of honey from the apiary to the final containers shall be kept clean and sanitary;
- (c) all operations in connection with the preparation and packing of honey shall be carried on carefully and with strict cleanliness;
- (d) all persons engaged in the preparation, handling and packing of honey shall be free from any communicable disease and the

Fruit, Vegetables and Honey Act—continued

- covering used by them to protect their clothing or persons shall be of material easily cleaned and shall be kept reasonably clean;
- (e) no lavatory, sink, cesspool, or buildings in which animals are housed shall be so situated or maintained as to permit any odours or fumes therefrom to pervade any room or building in which honey is being extracted, packed, handled or stored;
 - (f) all honey intended to be used for food found by an inspector in any apiary, packing plant or warehouse, to be in any way unfit for food purposes shall be placed under detention and held for disposal as the Minister may direct;
 - (g) all vehicles used for the transportation of honey shall be clean and sanitary to the satisfaction of the inspector.

INSPECTION

93. (1) Any person requiring honey to be inspected shall give notice to the resident inspector or, if there is no resident inspector, to the nearest inspector or the Department in sufficient time prior to date of shipment to allow for the taking of samples for determination of moisture and other grade requirements.

(2) The applicant for inspection shall arrange the honey to be inspected in separate tank lots in a suitable place, shall open and close all containers and packages as directed by the inspector and shall render such other assistance to the inspector as he may require.

94. (1) The inspector shall examine not less than ten per cent by count of the packages in any tank lot and shall draw a sample from any package he may select upon which colour and moisture content will be determined for the entire tank lot.

(2) If there is any noticeable difference in colour or quality in any tank lot of honey the inspector may refuse to inspect such tank lot or he may examine every package in the tank lot dividing into two or more lesser lots of similar colour and quality; in such cases the inspector shall impose a fee of five cents for each package in tank lots so divided, such fee to be collected in advance.

(3) When a shipment of honey is submitted for inspection which does not bear the tank lot numbers as required by these regulations or when there is an irregularity in the tank lot numbers, the inspector may refuse to inspect the shipment or he may examine each package in the shipment dividing it into lots of apparently similar colour and quality; from not less than ten per cent of the packages in each lot thus established the inspector shall draw a composite sample upon which colour and moisture content will be determined for the entire lot; in such cases the inspector shall impose a fee of five cents for each package in the shipment, such fee to be collected in advance.

GENERAL

95. No person shall use for packing honey any container or package that has been previously marked without first completely obliterating such markings when they are inconsistent with the marks required by these regulations.

96. The class, grade and correct designation of weight of the honey shall be specified in all advertising if price is specified.

Fruit, Vegetables and Honey Act—continued

97. Every person contravening any of the provisions of sections 81 to 96 inclusive of these regulations shall be liable upon summary conviction to a fine not exceeding two hundred dollars and not less than ten dollars and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid.

Schedule A

GRADE STANDARDS FOR FRESH FRUITS AND VEGETABLES

APPLES

1. (1) The grades for apples are Canada Extra Fancy, Canada Fancy, Canada Commercial or "C" and Canada Hailed.

CANADA EXTRA FANCY GRADE

- (2) Canada Extra Fancy apples are:
 - (a) apples of one variety which are mature, hand picked, clean, smooth, well formed, sound and sized;
 - (b) free from insect larva, disease, Jonathan spot, skin broken at the stem, hail marks, sunscald, spray burn, drought spot, stemless fruit, and if for shipment out of Canada free from apple maggot injury or stings;
 - (c) free from damage caused by bruises, russetting, insect injury, limb rub, leaf mark, skin puncture, storage scald, San Jose scale, or any other injury or defect;
 - (d) properly packed;
 - (e) each apple shall have the amount of colour specified hereinafter for the variety.
- (3) For the purposes of Canada Extra Fancy grade "damage" means:
 - (a) bruises—handling, packing or package bruises exceeding one inch in diameter in the aggregate area;
 - (b) russetting—
 - (i) for Rome Beauty variety, fine net-like russetting exceeding one-half inch in diameter in the aggregate area;
 - (ii) for Yellow Newtown variety, fine net-like russetting extending from the basin of the stem beyond a point on the greatest diameter or which affects more than 10 per cent of the surface in the aggregate area;
 - (iii) for Ribston, Blenheim, Cox Orange, Gano and Ben Davis varieties,
 - (a) russetting which does not blend with the normal colour of the variety; or
 - (b) russetting which blends with the normal colour for the variety but exceeds 20 per cent of the surface in the aggregate area;
 - (iv) for other varieties, smooth net-like russetting which blends with the normal colour of the variety but exceeds 20 per cent of the surface in the aggregate area;
 - (c) insect injury—
 - (i) Pansy Spot exceeding one-half inch in diameter in the aggregate area;
 - (ii) any other insect injury;

Fruit, Vegetables and Honey Act—continued

- (d) limb rub—exceeding one-quarter inch in diameter in the aggregate area;
- (e) leaf mark—leaf mark russeting; or light leaf mark russeting exceeding one-half inch in diameter in the aggregate area;
- (f) skin punctures—McIntosh and Northern Spy varieties only:
 - (i) any skin puncture exceeding one-eighth inch in diameter;
 - (ii) two or more skin punctures; or
 - (iii) one skin puncture one-eighth inch or less in diameter when more than 10 per cent of the apples in any package are so affected;
—other varieties:
 - (i) any skin puncture;
- (g) storage scald—
 - (i) any storage scald at time of packing or prior to January 1;
 - (ii) from January 1 to the end of the shipping season of each year, slight freckled storage scald exceeding 15 per cent of the surface in the aggregate area;
- (h) San Jose scale—
 - (i) more than two scale spots; or
 - (ii) up to two scale spots when more than 5 per cent of the apples in any package are so affected;
- (i) any other injury or defect which affects the appearance or the edible or shipping quality;
- (j) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA FANCY GRADE

- (4) Canada Fancy apples are:
 - (a) apples of one variety which are mature, hand picked, clean, smooth, well formed, sound and sized;
 - (b) free from insect larva, Jonathan spot, skin broken at the stem and drought spot and if for shipment out of Canada free from apple maggot injury or stings;
 - (c) free from damage caused by bruises, russeting, insect injury, limb rub, leaf mark, hail marks, spray burn, sunscald, disease, storage scald, skin punctures, San Jose scale, Oyster Shell scale, or any other injury or defect;
 - (d) properly packed;
 - (e) each apple shall have the amount of colour specified hereinafter for the variety.
- (5) For the purposes of Canada Fancy grade “damage” means:—
 - (a) bruises—handling, packing or package bruises exceeding one inch in diameter in the aggregate area;
 - (b) russeting—
 - (i) smooth net-like russeting or mildew resembling such russeting, exceeding 25 per cent of the surface in the aggregate area;
 - (ii) solid russeting exceeding 10 per cent of the surface in the aggregate area;

Fruit, Vegetables and Honey Act—continued

- (c) insect injury—
 - (i) Leaf roller, which deforms the fruit or exceeds an aggregate area of one-quarter inch in diameter;
 - (ii) Pansy spot, exceeding an aggregate area of one inch in diameter;
 - (iii) any puncture or sting exceeding one-eighth inch in diameter inclusive of any encircling discoloured ring;
 - (iv) three or more punctures or stings none of which exceed one-eighth inch in diameter inclusive of any encircling discoloured ring;
- (d) limb rub—
 - (i) where the affected area is soft or noticeably depressed;
 - (ii) any limb rub exceeding an aggregate area of one-half inch in diameter;
- (e) leaf mark russetting—exceeding an aggregate area of three-quarters inch in diameter;
- (f) hail marks—
 - (i) where the affected area is noticeably depressed or the appearance is materially affected as to colour or otherwise;
 - (ii) any hail marks exceeding an aggregate area of one-half inch in diameter;
- (g) sunscald or spray burn—
 - (i) which does not blend with the normal colour of the apple or which has caused blistering or cracking of the skin;
 - (ii) slight sunscald on apples failing to meet the colour requirements of Canada Extra Fancy grade;
- (h) disease—
 - (i) pin-point scab;
 - (ii) other scab exceeding an aggregate area of one-eighth inch in diameter;
- (i) storage scald—
 - (i) any storage scald at time of packing;
 - (ii) subsequent to packing, slight freckled storage scald exceeding an aggregate area of 25 per cent of the surface;
- (j) skin punctures—McIntosh and Northern Spy only:
 - (i) any skin puncture exceeding one-eighth inch in diameter;
 - (ii) two or more skin punctures;
 - (iii) one skin puncture one-eighth inch or less in diameter when more than 15 per cent of the apples in any package are so affected;

—other varieties:

 - (i) any skin puncture;
- (k) San Jose or Oyster Shell scale—
 - (i) more than two scale spots;
 - (ii) up to two scale spots when more than 5 per cent of the apples in any package are so affected;
- (l) any other injury or defect which materially affects the appearance or the edible or shipping quality;

Fruit, Vegetables and Honey Act—continued

- (m) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA COMMERCIAL OR "C" GRADE

- (6) Canada Commercial or "C" grade apples are:
- (a) apples of one variety which are mature, hand picked, clean, sound and sized;
 - (b) free from insect larva; or if for shipment out of Canada, free from apple maggot injury or stings;
 - (c) free from serious damage caused by bruises, russeting, insect injury, limb rub, hail marks, drought spots, spray burns, sunscald, disease, storage scald, skin punctures, San Jose scale, Oyster Shell scale or any other injury or defect;
 - (d) properly packed;
 - (e) each apple shall have the amount of colour specified hereinafter for the variety;
 - (f) if for final sale within Canada and provided that in addition to other marks required the packages are marked "Cookers", immature or mature Wealthy and earlier varieties and mature Northern Spy may be packed without minimum colour to the following minimum sizes:—

Wealthy and earlier $2\frac{1}{4}$ inches in diameter,
Northern Spy $2\frac{1}{2}$ inches in diameter.

- (7) For the purposes of Canada Commercial or "C" grade "serious damage" means:—

- (a) bruises—handling, packing and package bruises exceeding one and one-half inches in diameter in the aggregate area, or any soft bruises;
- (b) russeting—
 - (i) any pebbly russeting;
 - (ii) for Ben Davis and Gano varieties only, rough russeting exceeding 25 per cent of the surface in the aggregate area or on apples failing to meet the colour requirements of Canada Fancy grade; or
 - (iii) for other varieties, smooth solid russeting exceeding 25 per cent of the surface in the aggregate area;
- (c) insect injury—
 - (i) Leaf roller which is not dry or which affects more than 5 per cent of the surface in the aggregate area;
 - (ii) Bud-moth injury—
 - (a) any sting over one-eighth inch in diameter inclusive of any encircling discoloured ring;
 - (b) five or more healed-over punctures or stings; or
 - (c) small pin-point stings exceeding one-half inch in diameter in the aggregate area inclusive of any encircling discoloured ring;
 - (iii) other insect punctures or stings—
 - (a) any insect puncture or sting, inclusive of any encircling discoloured ring, which exceeds one-quarter inch in diameter in green and yellow varieties; or which exceeds one-eighth inch in diameter in all other varieties; or
 - (b) four or more insect punctures or stings;

Fruit, Vegetables and Honey Act—continued

- (d) limb rub—
 - (i) any limb rub where the affected area is soft; or
 - (ii) any limb rub exceeding 5 per cent of the surface in the aggregate area;
- (e) hail marks—
 - (i) where the affected area is noticeably depressed or the appearance is materially affected as to colour or otherwise; or
 - (ii) any hail marks exceeding an aggregate area of three-quarters of an inch in diameter;
- (f) drought spots—
 - (i) four or more spots;
 - (ii) any spot where the affected area is noticeably depressed or discoloured; or
 - (iii) any spots exceeding one-half inch in diameter in the aggregate area;
- (g) spray burn or sunscald—
 - (i) any soft spray burn or sunscald; or
 - (ii) any other spray burn or sunscald exceeding 10 per cent of the surface in the aggregate area;
- (h) disease—scab spots exceeding 5 per cent of the surface in the aggregate area;
- (i) storage scald—
 - (i) any storage scald at time of packing; or
 - (ii) subsequent to packing, any storage scald exceeding an aggregate area of 25 per cent of the surface;
- (j) skin punctures—
 - (i) any skin puncture exceeding one-eighth inch in diameter;
 - (ii) three or more skin punctures; or
 - (iii) up to two skin punctures one-eighth inch or less in diameter when more than 25 per cent of the apples in any package are so affected;
- (k) San Jose scale—
 - (i) three or more scale spots; or
 - (ii) up to two scale spots when more than 5 per cent of the apples in any package are so affected;
- (l) Oyster Shell scale—
 - (i) eleven or more scale spots; or
 - (ii) up to ten scale spots when more than 25 per cent of the apples in any package are so affected;
- (m) any other injury or defect which seriously affects the appearance or the edible or shipping quality;
- (n) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA HAILED GRADE

(for final sale within Canada only)

- (8) Canada Hailed grade apples are:
 - (a) apples of Canada Extra Fancy or Canada Fancy colour for the variety;

Fruit, Vegetables and Honey Act—continued

(b) having well healed hail marks—

- (i) not exceeding one inch in diameter in the aggregate area;
- (ii) no individual hail mark exceeding three-eighths inch in diameter;
- (iii) no individual hail mark exceeding one-quarter inch in depth;

(c) in all other respects, apples which meet the requirements of Canada Commercial or "C" grade.

Packages containing apples meeting the above mentioned grade shall be marked "CANADA HAILED".

CANADA COMBINATION GRADES

(9) (a) For shipment out of Canada only, combinations of the foregoing grades may be packed as follows:

Canada Extra Fancy and Canada Fancy;

Canada Fancy and Canada Commercial or "C".

Note: The foregoing grade designations may be abbreviated as follows:

"Canada Comb EXF-Fcy"

"Canada Comb Fcy-C".

(b) In combination grades at least 50 per cent of the apples in any package shall meet the requirements of the higher grade in the combination.

GENERAL TOLERANCES

(10) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent in any package outside the designated size range;
- (b) 7 per cent grade defects at shipping point and 10 per cent grade defects at destination but not exceeding 3 per cent decay or 5 per cent for any other one defect except
- (c) no tolerance shall be allowed for apple maggot stings or injury in apples for shipment out of Canada, and
- (d) in the combination grades no part of any tolerance shall be allowed to reduce the 50 per cent of apples of the higher grade required in the combination.

COLOUR MINIMA FOR APPLES

(11) Except as provided in subsection (6) (f), the minimum colour requirements for apples are as prescribed in this subsection,

(a) In the case of red or red striped varieties:

- (i) the percentage figures under the letter (a) mean an aggregate area of solid or block red of the shade considered as full characteristic colour for the variety when fully matured and with an additional 15 per cent of reddish colour;
- (ii) the percentage figures under the letter (b) mean an aggregate area, red or red striped, of the shade considered as full characteristic colour for the variety when fully matured; and
- (iii) apples meeting either the (a) or the (b) colour requirements qualify for the designated grade.

Fruit, Vegetables and Honey Act—continued

(b) red or red striped varieties:

	Minimum Colour—Percentages				
	Canada Extra Fancy Grade		Canada Fancy Grade		Canada “C” Grade
	(a)	(b)	(a)	(b)	Showing of Colour
Alexander.....	50	65	25	40	15
Arctic.....	40	55	15	30	15
Astrachan.....	40	55	15	30	15
Baldwin.....	40	55	15	30	15
Baxter.....	50	65	25	40	15
Ben Davis.....	40	55	15	30	15
Canada Baldwin.....	50	65	25	40	15
Canada Red.....	50	65	25	40	15
Cooper Market.....	40	55	15	30	15
Cortland.....	40	55	15	30	15
Crimson Beauty.....	40	55	15	30	15
Crimson Gravenstein.....	40	55	15	30	15
Delicious.....	50	65	25	40	15
Early William.....	40	55	15	30	15
Fameuse or Snow.....	40	55	15	30	15
Gano.....	50	65	25	40	15
Jefferis.....	40	55	15	30	15
Jonathan.....	40	55	15	30	15
Kendall.....	50	65	25	40	15
King David.....	50	65	25	40	15
King (Tompkins King).....	40	55	15	30	15
Lawiam.....	40	55	15	30	15
Linda.....	40	55	15	30	15
Lobo.....	50	65	25	40	15
Macoun.....	40	55	15	30	15
McIntosh.....	40	55	15	30	15
Northern Spy.....	40	55	15	30	15
Paragon.....	50	65	25	40	15
Rome Beauty.....	40	55	15	30	15
Salome.....	40	55	15	30	15
Scarlet Pippin.....	50	65	25	40	15
Seek-no-further (Westfield).....	40	55	15	30	15
Spitzenberg.....	50	65	25	40	15
Stark, Red.....	50	65	25	40	15
Stayman Winesap.....	50	65	25	40	15
Wagner.....	40	55	15	30	15
Wealthy.....	40	55	15	30	15
Winesap.....	50	65	25	40	15
Wolfe River.....	50	65	25	40	15
York Imperial.....	40	55	15	30	15
Varieties n.o.p.....	40	55	15	30	15

(c) red cheeked or blush varieties:

	Canada Extra Fancy Grade	Canada Fancy Grade	Canada “C” Grade
Cox Orange.....	Perceptibly blushed cheek	Tinge of colour	None
Cranberry Pippin.....	“ “	“ “	“
Duchess.....	“ “	“ “	“
Dudley.....	“ “	“ “	“
Fallawater.....	“ “	“ “	“
Gravenstein.....	“ “	“ “	“
Hubbardston.....	“ “	“ “	“
Joyce.....	“ “	“ “	“
Lasalle.....	“ “	“ “	“
Laxton Superb.....	“ “	“ “	“
Melba.....	“ “	“ “	“
Milwaukee.....	“ “	“ “	“
Ontario.....	“ “	“ “	“
Peerless.....	“ “	“ “	“
Pewaukee.....	“ “	“ “	“
Red Russet.....	“ “	“ “	“
Sturmer Pippin.....	“ “	“ “	“
Twenty Ounce.....	“ “	“ “	“
Winter Banana.....	“ “	“ “	“
Varieties n.o.p.....	“ “	“ “	“

Fruit, Vegetables and Honey Act—continued

(d) green, yellow or russet varieties:

	Canada Extra Fancy Grade	Canada Fancy Grade	Canada "C" Grade
—			
Bishop Pippin.....	Characteristic.....	Characteristic.....	None
Blenheim.....	".....	".....	"
Bough Sweet.....	".....	".....	"
Bramley Seedling.....	".....	".....	"
Golden Delicious.....	".....	".....	"
Golden Russet.....	40% russet or golden colour	40% russet or golden colour	"
Grimes Golden.....	Characteristic.....	Characteristic.....	"
Mann.....	".....	".....	"
Nonpareil (Roxbury Russet).....	".....	".....	"
Northwest Greening.....	".....	".....	"
Rhode Is. Greening.....	".....	".....	"
Ribston.....	".....	".....	"
Stark, Green.....	".....	".....	"
Tolman Sweet.....	".....	".....	"
Wellington.....	".....	".....	"
Yellow Newtown.....	".....	".....	"
Yellow Transparent.....	".....	".....	"
Varieties n.o.p.....	".....	".....	"

SIZE MINIMA AND SIZE RANGES FOR APPLES

(12) Except as provided in subsection (15), the minimum diameter for apples in all grades and packs shall be $2\frac{1}{4}$ inches or 234 box count size.

(13) Except as provided in subsections (6) (f) and (15), the sizing requirements of packed apples shall be:

- (a) if tiered, by count;
- (b) if not tiered, to one of the following size ranges, except that in other than six quart baskets the size range shall not exceed $\frac{1}{4}$ inch in Canada Extra Fancy grade (any such packs to include all the apples of the designated size range):

- $2\frac{1}{4}$ inches to $2\frac{1}{2}$ inches
- $2\frac{1}{4}$ inches to $2\frac{3}{4}$ inches
- $2\frac{1}{2}$ inches to $2\frac{3}{4}$ inches
- $2\frac{1}{2}$ inches to 3 inches
- $2\frac{1}{2}$ inches and up
- $2\frac{3}{4}$ inches to 3 inches
- $2\frac{3}{4}$ inches and up
- 3 inches and up.

(14) For the purposes of Canada Extra Fancy, Canada Fancy and Canada Commercial or "C" grades:

- (a) "sized" means that the apples in any package, if tiered, shall not be of size range greater than $\frac{1}{4}$ inch in diameter, except that for count sizes 138 and smaller the range shall not exceed $\frac{3}{16}$ inch.

(15) The Department may authorize inspection and certification of dessert varieties of recognized or outstanding value to 2 inches minimum diameter in Canada Extra Fancy and Canada Fancy grades (a) for shipment out of Canada or (b) for interprovincial movement, under circumstances recommended to the Department by the Provincial Fruit Growers' Associations concerned as warranting such additional supplies being marketed; except that red or red striped varieties shall have 20 per cent additional colour.

Fruit, Vegetables and Honey Act—continued

APRICOTS

2. (1) The grades for apricots are Canada No. 1, Canada No. 2 and Canada No. 3.

CANADA NO. 1 GRADE

- (2) Canada No. 1 apricots are:
 - (a) apricots of one variety which are uniformly mature, hand picked, clean, well formed, sound, fairly uniform in size and of good colour for the variety;
 - (b) free from all bruises, insect pests, insect injury, hail marks, sun-scald, skin punctures or breaks, disease, split stones and gum;
 - (c) free from damage caused by limb rub, leaf marks, spray burn, growth checks, or other injury or defect;
 - (d) of minimum size $1\frac{3}{8}$ inches in diameter; and
 - (e) properly packed.
- (3) For the purposes of Canada No. 1 grade "damage" means:—
 - (a) ink spots beyond the freckled stage;
 - (b) limb rub at the stem and exceeding one-quarter inch in diameter in the aggregate area or any other limb rub;
 - (c) leaf marks exceeding one-quarter inch in diameter in the aggregate area;
 - (d) growth checks which are not healed over or healed over growth checks exceeding one-quarter inch in diameter in the aggregate area;
 - (e) spray burn exceeding one-quarter inch in diameter in the aggregate area;
 - (f) any other injury or defect except russeting which affects the appearance or the edible or shipping quality;
 - (g) a combination of two or more of the above mentioned defects, the total area of which exceeds the maximum area tolerance.

CANADA NO. 2 GRADE

- (4) Canada No. 2 apricots are:
 - (a) apricots of one variety which are mature, hand picked, clean, well formed and sound;
 - (b) free from all insect pests, insect injury, skin punctures or breaks;
 - (c) free from damage caused by bruises, limb rub, leaf mark, hail marks, growth checks, disease, or other injury or defect;
 - (d) of minimum size $1\frac{1}{4}$ inches in diameter; and
 - (e) properly packed.
- (5) For the purposes of Canada No. 2 grade "damage" means:—
 - (a) bruises—handling or packing bruises exceeding one-half inch in diameter in the aggregate area;
 - (b) limb rub and leaf mark exceeding 15 per cent of the surface in the aggregate area;
 - (c) hail marks—
 - (i) where the affected area is noticeably depressed or the skin is broken; or
 - (ii) hail marks exceeding 15 per cent of the surface in the aggregate area;

Fruit, Vegetables and Honey Act—continued

- (d) growth checks which are not healed over;
- (e) ink spots beyond the freckled stage;
- (f) mildew exceeding 15 per cent of the surface in the aggregate area;
- (g) deformed apricots where the affected area is noticeable or affects more than 15 per cent of the surface in the aggregate area;
- (h) any other injury or defect except russeting which materially affects the appearance or the edible or shipping quality;
- (i) a combination of two or more of the above mentioned defects, the total area of which exceeds the maximum area defect.

CANADA NO. 3 GRADE

- (6) Canada No. 3 apricots are:—
 - (a) apricots meeting the requirements of Canada No. 2 grade except that
 - (i) hail marks not exceeding 25 per cent of the surface in the aggregate area are allowed; and
 - (ii) they shall not be tiered or packed in the four-basket crate.

GENERAL TOLERANCES

(7) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect.

ASPARAGUS

- 3. (1) The grades for asparagus are Canada No. 1 and Canada No. 2.

CANADA NO. 1 GRADE

- (2) Canada No. 1 asparagus is:
 - (a) asparagus which is fresh, well trimmed, not badly crooked;
 - (b) free from decay and broken or spreading tips;
 - (c) free from damage caused by dirt, disease, insects or other injury or defect;
 - (d) not more than 15 per cent of each stalk white;
 - (e) of minimum diameter $\frac{3}{8}$ inch and maximum variation in length of $1\frac{1}{2}$ inches.

(3) Asparagus meeting the requirements of Canada No. 1 grade shall be packed only in 11-quart baskets but when the additional grade designations "Large" or "Medium" are used the asparagus may be packed in any container and the requirements of paragraph (e) above shall not apply but the following shall be the size minima:

- (i) "Large"—diameter $\frac{3}{8}$ inch, length $5\frac{3}{4}$ inches;
- (ii) "Medium"—diameter $\frac{1}{4}$ inch, length $5\frac{1}{2}$ inches.

CANADA NO. 2 GRADE

- (4) Canada No. 2 asparagus is:
 - (a) asparagus that fails to meet the requirements of Canada No. 1 grade but which is free from decay and serious damage from whatever cause;
 - (b) not more than 15 per cent of each stalk white.

Fruit, Vegetables and Honey Act—continued

(5) The net weight of each 11-quart basket of bunched asparagus shall be not less than 12 pounds. When asparagus is sold by the bunch each bunch shall weigh 8 ounces or 16 ounces except when offered for retail sales as originally packed each bunch shall weigh not less than 7 ounces or 14 ounces respectively.

(6) Definitions of Terms:

- (a) "well trimmed" means that the butts of the stalks shall be smoothly and evenly cut and free from stringy or frayed ends;
- (b) "badly crooked" means that the stalk is so misshapen or curved that its appearance is seriously affected;
- (c) "damage" means any injury from the causes mentioned which materially affects the appearance or the edible or shipping quality;
- (d) "serious damage" means any injury or defect which seriously affects the appearance or the edible or shipping quality.

GENERAL TOLERANCES

(7) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent may be outside the size requirements;
- (b) 10 per cent grade defects but no tolerance shall be allowed for decay.

BEETS

4. (1) The grades for topped beets are Canada No. 1 and Canada No. 2.

CANADA NO. 1 GRADE

(2) Canada No. 1 beets are:

- (a) beets of similar varietal characteristics which are firm but not woody, well trimmed, fairly smooth, well shaped and reasonably clean;
- (b) free from decay and freezing injury;
- (c) free from damage caused by sunburn, sprouts, cuts, growth cracks, insects, rodents, disease or other injury or defect;
- (d) of minimum diameter $1\frac{1}{4}$ inches and maximum diameter 3 inches unless otherwise specified, when the minimum diameter shall be 1 inch;
- (e) properly packed.

CANADA NO. 2 GRADE

(3) Canada No. 2 beets are:

- (a) beets of similar varietal characteristics which are firm, but not woody, well trimmed, not badly misshapen;
- (b) free from decay and freezing injury;
- (c) free from serious damage caused by dirt, sprouts, cuts, growth cracks, insects, rodents, disease or other injury or defect;
- (d) of minimum diameter $1\frac{1}{4}$ inches unless otherwise specified, when the minimum diameter shall be 1 inch;
- (e) properly packed.

(4) Any specified size other than as prescribed in subsections (2) (d) and (3) (d) shall be plainly marked on the container or on a tag attached thereto.

Fruit, Vegetables and Honey Act—continued

(5) Definitions of Terms:

- (a) “similar varietal characteristics” means that the beets in any package are of the same general type; for example, flat types such as the Egyptian variety shall not be mixed with globular or semi-globular type beets;
- (b) “firm” means that the beet is not soft, flabby or shrivelled;
- (c) “well trimmed” means that the tops are trimmed to not more than one-half inch in length;
- (d) “fairly smooth” means that the beet is not rough, ridged or misshapen. Slight roughness over the crown or slight pitting caused by shedding of dead leaves shall not be considered as injury to the appearance;
- (e) “well shaped” means having the shape characteristic of the variety but slightly off-type specimens shall be permitted;
- (f) “reasonably clean” means that the general appearance is not materially affected and that individual beets are not materially caked with dirt or materially stained;
- (g) “decay” means decay from whatever cause;
- (h) “badly misshapen” means that the beet is so misshapen as to materially affect its appearance or which causes a loss of more than 10 per cent of the total weight of the beet;
- (i) “damage” means any injury from the causes mentioned which materially affects the appearance, edible or shipping quality of the individual beet, or which cannot be removed without a loss of more than 5 per cent of the total weight of the beet;
- (j) “serious damage” means any damage from the causes mentioned which seriously affects the appearance of the individual beet, or which cannot be removed without a loss of more than 10 per cent of the total weight of the beet.

GENERAL TOLERANCES

(6) In each of the foregoing grades the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (a) 4 per cent below the prescribed or specified minimum size and 8 per cent above the prescribed or specified maximum size;
- (b) 2 per cent decay;
- (c) 6 per cent grade defects.

BLUEBERRIES

5. (1) The grade for blueberries when offered for sale on a grade basis is Canada No. 1. This grade includes frozen but not otherwise processed blueberries in containers over 20 pounds capacity.

CANADA No. 1 GRADE

(2) Canada No. 1 blueberries are:

- (a) blueberries which are sound, well formed, well coloured and fairly uniform in size;

Fruit, Vegetables and Honey Act—continued

- (b) free from green berries, leaves, stems, dirt or other foreign matter;
- (c) apparently free from insect pests and disease;
- (d) free from damage caused by mechanical or other injury or defect;
- (e) dry, except if packed in leak-proof containers or if frozen;
- (f) properly packed.

(3) Definitions of terms:

- (a) "well coloured" means, except when frozen, of a mature light blue colour with not less than 80 per cent of the surface showing natural bloom;
- (b) "damage" means that the appearance is injured to an extent readily apparent upon careful examination.

GENERAL TOLERANCES

(4) In the foregoing grade the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not exceeding 1 per cent decay or 5 per cent for any other one defect.

CABBAGE

6. (1) The grades for cabbage are Canada No. 1 and Canada No. 2.

CANADA No. 1 GRADE

- (2) Canada No. 1 cabbage is:
 - (a) cabbage of similar type heads, well trimmed, reasonably firm and not withered or burst;
 - (b) free from soft rot and seed stems;
 - (c) free from damage caused by discolouration, freezing, disease, insects or other injury or defect;
 - (d) fairly uniform in size;
 - (e) properly packed.

CANADA No. 2 GRADE

- (3) Canada No. 2 cabbage is:
 - (a) cabbage of similar type heads, well trimmed, reasonably firm and not withered or burst;
 - (b) free from soft rot and seed stems;
 - (c) free from serious damage caused by discolouration, freezing, disease, insects or other injury or defect;
 - (d) properly packed.
- (4) Definitions of terms:
 - (a) "similar type" means that cabbages in any package are of the same general type, for example: pointed, flat, savoy or red type as the case may be;
 - (b) "reasonably firm" means that the heads yield slightly to pressure, but are not soft;
 - (c) "well trimmed" means that the stem is not longer than $\frac{1}{2}$ inch and that all outer leaves injured by worm, disease or other means are removed;

Fruit, Vegetables and Honey Act—continued

- (d) “seed stems” means heads which have seed stalks showing or where the formation of the seed stalk is plainly indicated;
- (e) “damage” means that the heads shall be injured to an extent readily apparent upon examination;
- (f) “serious damage” means that any damage from the causes mentioned may be removed with a loss of more than 15 per cent of the edible portion.

GENERAL TOLERANCES

(5) In each of the foregoing grades the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not more than 2 per cent decay.

CANTALOUPE

7. (1) The grades for cantaloupes are Canada No. 1 and Canada No. 2.

CANADA NO. 1 GRADE

- (2) Canada No. 1 cantaloupes are:
 - (a) cantaloupes of one variety which are well formed, clean, sound and well netted;
 - (b) free from all insect pests, insect injury, disease, sunscald, cracks, moisture injury, hail marks or other injury or defect;
 - (c) fairly uniform in size;
 - (d) properly packed.

CANADA NO. 2 GRADE

- (3) Canada No. 2 cantaloupes are:
 - (a) cantaloupes of one variety which are mature and sound;
 - (b) free from all insect pests;
 - (c) properly packed;
 - (d) this grade is permitted only during such periods as may be prescribed by the Department.
- (4) Definitions of terms:
 - (a) “mature” means that the cantaloupes have reached the stage of development at which the flesh is palatable and that the juice of the edible portion of the fruit contains not less than 10 per cent soluble solids as determined by the Brix Hydrometer;
 - (b) “well netted” means having netted characteristics of a well developed specimen of the variety.

GENERAL TOLERANCES

(5) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect.

CARROTS

8. (1) The grades for carrots are Canada No. 1, Canada No. 1—Cut Crowns and Canada No. 2.

Fruit, Vegetables and Honey Act—continued

CANADA No. 1 GRADE

(2) Canada No. 1 carrots are:

- (a) carrots of similar, varietal characteristics which are firm but not woody, well trimmed, fairly smooth, well shaped and reasonably clean;
- (b) free from decay and freezing injury;
- (c) free from damage caused by sunburn, sprouts, cuts or cut crowns, growth cracks, insects, rodents, disease, mechanical or other injury or defect;
- (d) of minimum length $3\frac{1}{2}$ inches;
- (e) of minimum and maximum diameters, unless otherwise specified—
 - $\frac{3}{4}$ to $1\frac{3}{4}$ inches with the additional grade designation "Small";
 - $1\frac{1}{4}$ to $2\frac{1}{4}$ inches with the additional grade designation "Medium";
 - $1\frac{3}{4}$ to $2\frac{3}{4}$ inches with the additional grade designation "Large";
- (f) properly packed.

(3) Canada No. 1—Cut Crowns are carrots which otherwise meet all the requirements of Canada No. 1 grade, but with the crown or shoulder removed.

(4) Any specified size range other than as prescribed in subsection (2)(e) shall be plainly marked on the container or on a tag attached thereto.

CANADA No. 2 GRADE

(5) Canada No. 2 carrots are:

- (a) carrots of similar varietal characteristics which are firm, but not woody, well trimmed, not badly misshapen;
- (b) free from decay and freezing injury;
- (c) free from serious damage caused by dirt, sprouts, cuts, growth cracks, insects, rodents, disease, mechanical or other injury or defect;
- (d) of minimum diameter 1 inch;
- (e) properly packed.

(6) Carrots may be designated as "Washed Carrots" only if washed prior to being packed.

(7) Definitions of terms:

- (a) "similar varietal characteristics" means that the carrots in any package are of the same general type; for example, short and long type varieties shall not be mixed;
- (b) "firm" means that the carrot is not soft, flabby or shrivelled;
- (c) "well trimmed" means that the tops are trimmed to not more than one-half inch in length;
- (d) "fairly smooth" means that the carrot is not rough, forked or misshapen, or covered with secondary rootlets;
- (e) "well shaped" means having the shape characteristics of the variety, but slightly off-type specimens shall be permitted;

Fruit, Vegetables and Honey Act—continued

- (f) “badly misshapen” means that the carrot is so forked or misshapen as to materially affect its appearance, or to cause a loss of more than 10 per cent of the total weight of the carrot;
- (g) “reasonably clean” means that the general appearance is not materially affected and that individual carrots are not materially caked with dirt or materially stained;
- (h) “decay” means decay from whatever cause;
- (i) “damage” means injury from the causes mentioned which materially affects the appearance, edible or shipping quality of the individual carrots, or which cannot be removed without a loss of more than 5 per cent of the total weight of the carrot;
- (j) “serious damage” means any damage from the causes mentioned which seriously affects the appearance of the individual carrot, or which causes a loss of more than 10 per cent of the total weight of the carrot.

GENERAL TOLERANCES

(8) In each of the foregoing grades the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (a) 4 per cent below the prescribed or specified minimum size and 8 per cent above the prescribed or specified maximum size;
- (b) 2 per cent decay;
- (c) 6 per cent for other grade defects.

CELERY

9. (1) The grades for celery are Canada No. 1, Canada No. 1 Heart and Canada No. 2.

CANADA No. 1 GRADE

- (2) Canada No. 1 celery is:
 - (a) celery which is well trimmed, fairly well bleached, not wilted, pithy or badly spread;
 - (b) free from seed stems and heart rot;
 - (c) free from damage caused by freezing, blight, rust, disease, insects, mollusks, mechanical or other injury or defect;
 - (d) fairly uniform in size;
 - (e) minimum stalk length 18 inches when not clipped; 15 inches when clipped;
 - (f) properly packed.

CANADA No. 1 HEART GRADE

- (3) Canada No. 1 Heart celery is:
 - (a) celery which is well trimmed, fairly well bleached, not wilted, pithy or badly spread;
 - (b) free from seed stems and heart rot;
 - (c) free from damage caused by freezing, blight, rust, disease, insects, mollusks, mechanical or other injury or defect;
 - (d) properly packed.

Fruit, Vegetables and Honey Act—continued

CANADA NO. 2 HEART GRADE

- (4) Canada No. 2 celery is:
 - (a) celery that fails to meet the requirements of Canada No. 1 grade;
 - (b) free from heart rot and seed stems;
 - (c) properly packed.
- (5) Definitions of terms:
 - (a) "well trimmed" means that the outside coarse and damaged branches have been removed and the portion of the main root remaining is not more than 3 inches in length, except that in the case of celery intended for storage the length of the root shall not apply;
 - (b) "stalk" means an individual plant;
 - (c) "pithy" means that the branches have an open texture with air spaces in the central portion; the stalk shall not be considered pithy unless more than two branches are so affected;
 - (d) "damage" means—
 - (i) cuts, bruises or broken branches;
 - (ii) injury from insects or mollusks affecting any inner branches or affecting an aggregate area exceeding one square inch on the outer branches;
 - (iii) any other injury or defect which affects the appearance or the edible or shipping quality;
 - (e) "badly spread" means open stalks where the inner heart branches are not of a reasonable number, length and stockiness;
 - (f) "seed stems" means those stalks which have seed stems showing or in which the formation of seed stems has plainly begun;
 - (g) "fairly uniform" means that the stalks in each package or crate shall be of approximately the same diameter and length;
 - (h) "fairly well bleached" means, except celery intended for storage and Utah or green type celery, that the stalks are of a light greenish to white colour;
 - (i) "stalk length" means the distance from where the main root is cut off to a point which represents the average length of the longest branches and leaves.

GENERAL TOLERANCES

(6) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent variation from marked count; (see paragraph (g) of subsection (2) of section 68 of the regulations);
- (b) 5 per cent below minimum length;
- (c) 10 per cent other defects but not exceeding 5 per cent for any one defect.

CHERRIES

10. (1) The grades for cherries are Canada Select, Canada No. 1 and Canada No. 2.

Fruit, Vegetables and Honey Act—continued

CANADA SELECT GRADE

- (2) Canada Select cherries are:
- (a) sweet cherries of one variety which are mature, hand picked, clean, sound and of superior size and colour for the variety;
 - (b) free from stemless fruit, bruises, insect pests, insect injury, hail marks, skin breaks, disease, gum, twigs or other injury or defect;
 - (c) table graded and properly packed.

CANADA No. 1 GRADE

- (3) Canada No. 1 cherries are:
- (a) cherries of one variety which are mature, hand picked, clean, sound and of good colour and fair size for the variety;
 - (b) free from stemless fruit, bruises, insect pests, insect injury, hail marks, skin breaks, disease, gum, twigs or other injury or defect;
 - (c) properly packed and if sweet cherries in six-quart climax baskets, table graded.

CANADA No. 2 GRADE

- (4) Canada No. 2 cherries are:
- (a) cherries of one variety which are mature, hand picked, clean and sound;
 - (b) free from insect pests, insect injury and disease;
 - (c) free from damage caused by bruises, skin breaks and hail marks or other injury or defect;
 - (d) properly packed.
- (5) Cherries meeting the requirements of Canada No. 2 grade may be marked "Canada Domestic" when packed in baskets or hampers.
- (6) For the purposes of Canada No. 2 or Canada Domestic grades "damage" means:
- (a) bruises—bruises in excess of those incident to good commercial handling and packing;
 - (b) skin breaks—exceeding $\frac{1}{8}$ inch in diameter in the aggregate area;
 - (c) hail marks—exceeding 25 per cent of the surface in the aggregate area;
 - (d) any other injury or defect which affects the appearance or the edible or shipping quality;
 - (e) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

GENERAL TOLERANCES

- (7) In the foregoing grades the following shall be allowed as tolerances by weight or count for variations incident to proper grading, packing and handling:
- (a) 5 per cent grade defects in Canada Select grade and 10 per cent grade defects in Canada No. 1 and Canada No. 2 grades but not exceeding one-half of these tolerances for any one defect including not more than 1 per cent decay or brown rot.

Fruit, Vegetables and Honey Act—continued

CRABAPPLES

11. (1) The grades for crabapples are Canada Fancy and Canada Commercial or "C".

(2) Canada Fancy crabapples are:

- (a) crabapples of one variety which are mature, clean and sound;
- (b) free from damage caused by disease, insects, or other injury or defect;
- (c) properly packed;
- (d) of a minimum size of $1\frac{1}{4}$ inches in diameter, and
- (e) having a minimum of 35 per cent colour for Hyslop variety.

(3) For the purposes of Canada Fancy grade "damage" means:

- (a) bruises—handling, packing or package bruises exceeding one-half inch in diameter in the aggregate area;
- (b) russeting—any russeting exceeding 10 per cent of the surface in the aggregate area;
- (c) leaf roller—
 - (i) any leaf roller injury which deforms the fruit; or
 - (ii) any other leaf roller injury exceeding one-quarter inch in diameter in the aggregate area;
- (d) insect punctures or stings—
 - (i) two or more insect punctures or stings; or
 - (ii) any insect puncture or sting exceeding one-eighth inch in diameter inclusive of any encircling discoloured ring;
- (e) limb rub or leaf mark—any limb rub or leaf mark exceeding one-quarter inch in diameter in the aggregate area;
- (f) hail marks—
 - (i) hail marks where the affected area is noticeably depressed and discoloured; or
 - (ii) hail marks of a russet character exceeding one-quarter inch in diameter in the aggregate area;
- (g) sunscald or spray burn—sunscald or spray burn which causes blistering or noticeable discolouration;
- (h) any other injury or defect which affects the appearance or the edible or shipping quality;
- (i) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA COMMERCIAL OR "C" GRADE

(4) Canada Commercial or "C" crabapples are:

- (a) crabapples of one variety which are sound and mature;
- (b) properly packed; and
- (c) of a minimum size of one inch in diameter.

GENERAL TOLERANCES

(5) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any one other defect.

Fruit, Vegetables and Honey Act—continued

CRANBERRIES

12. (1) The grades for cranberries are Canada No. 1 and Canada No. 2.

CANADA NO. 1 GRADE

(2) Canada No. 1 cranberries are:

- (a) well formed cranberries which are clean, sound, well coloured and fairly uniform in size;
- (b) free from insect pests, disease;
- (c) free from damage caused by mechanical or other injury or defect;
- (d) properly packed.

CANADA NO. 2 GRADE

(3) Canada No. 2 cranberries are:

- (a) cranberries which are sound and fairly well coloured;
- (b) free from insect pests;
- (c) free from serious damage caused by disease, dirt or other foreign matter, mechanical or other injury or defect;
- (d) properly packed.

(4) Definitions of terms:

- (a) "well coloured" means 80 per cent of the surface shall be a red colour;
- (b) "damage" means that the appearance is injured to an extent readily apparent upon careful examination;
- (c) "fairly well coloured" means 65 per cent of the surface shall be a red colour;
- (d) "serious damage" means that the appearance, edible or shipping quality is seriously affected.

GENERAL TOLERANCES

(5) In each of the foregoing grades the following shall be allowed as tolerances by weight for variations incident to proper grading, handling and packing:

- (a) 15 per cent grade defects but not exceeding $7\frac{1}{2}$ per cent for any one defect.

HOTHOUSE CUCUMBERS

13 (1) The grades for hothouse cucumbers grown in British Columbia are Canada Extra Fancy, Canada Fancy and Canada No. 3.

CANADA EXTRA FANCY GRADE

(2) Canada Extra Fancy hothouse cucumbers are:

- (a) cucumbers of similar varietal characteristics which are mature, fresh, sound, well formed and well coloured;
- (b) free from blossoms and other injury or defect;
- (c) properly packed.

CANADA FANCY GRADE

(3) Canada Fancy hothouse cucumbers are cucumbers meeting the requirements of Canada Extra Fancy grade except that slightly misshapen and slightly pale cucumbers are permitted in this grade.

Fruit, Vegetables and Honey Act—continued

CANADA NO. 3 GRADE

- (4) Canada No. 3 hothouse cucumbers are:
- (a) cucumbers of similar varietal characteristics which are mature, fresh, sound and fairly well coloured;
 - (b) free from blossoms and badly misshapen specimens;
 - (c) properly packed.

(5) All packages containing hothouse cucumbers shall be marked to show the number of specimens contained and the minimum length of the contents but in the case of cucumbers meeting the requirements of Canada Extra Fancy grade the words "Large" or "Medium" may be included in the grade designation and shall mean:

	<i>White Spine Type</i>	<i>Rochfort or Long Type</i>	<i>Count per Package (White Spine type only)</i>
Large	12" min.	18" min.	12 or 18 specimens
Medium	8" min. to 12" max.	16" min.	24 specimens

- (6) Definitions of terms:
- (a) "well formed" means the normal typical shape for the variety and not misshapen;
 - (b) "similar varietal characteristics" means that the cucumbers are alike as to shape and general characteristics, for example the White Spine type and the Rochfort or long type must not be mixed;
 - (c) "fresh" means bright, firm, not wilted or old;
 - (d) "well coloured" means that the cucumbers show a good characteristic green colour over practically the entire surface except that area showing characteristic striping.

GENERAL TOLERANCES

(7) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent below specified minimum size;
- (b) 5 per cent above specified maximum size;
- (c) 2 per cent grade defects.

GRAPES

14. (1) The grades for grapes are Canada No. 1 and Canada No. 2,

CANADA NO. 1 GRADE

- (2) Canada No. 1 grapes are:
- (a) grapes of one variety which are mature, clean, sound, fully developed, and for the variety of good colour, good size and reasonably well filled bunches;
 - (b) free from crushed, split or dried berries and hail marks;
 - (c) free from damage caused by disease, insect injury or other injury or defect;
 - (d) properly packed and except for processing purposes in containers of not more than 6-quart capacity.

Fruit, Vegetables and Honey Act—continued

- (3) For the purpose of Canada No. 1 grade “damage” means:
- (a) disease or insect injury which materially affects the appearance or the edible or shipping quality;
 - (b) mildew on the inside of the bunch or which affects the appearance of the berries;
 - (c) any other injury or defect which affects the appearance or the edible or shipping quality.

CANADA NO. 2 GRADE

- (4) Canada No. 2 grapes are:
- (a) grapes of one variety which are mature, clean, sound and for the variety of fair colour and fair size;
 - (b) free from crushed or split berries;
 - (c) properly packed.
- (5) Grapes meeting the requirements of Canada No. 2 grade may be marked “Canada Domestic” when packed in baskets or hampers.
- (6) Definitions of terms:
- (a) “mature” means that the fruit has reached the stage where the grapes have developed a reasonably full flavour for the variety.

GENERAL TOLERANCES

(7) In each of the foregoing grades the following shall be allowed as tolerances by weight for variations incident to proper grading, handling and packing:

- (a) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect except that the full 10 per cent tolerance may be allowed for crushed or split berries in Canada No. 2 grade when packed in containers of greater than 6-quart capacity.

HEAD LETTUCE

15. (1) The grades for head lettuce are Canada No. 1, Canada No. 1 Roots Attached and Canada No. 2.

CANADA NO. 1 GRADE

- (2) Canada No. 1 lettuce is:
- (a) lettuce of similar varietal characteristics which is fresh, firm, reasonably well trimmed and fairly uniform in size;
 - (b) free from split or burst heads, decay, tipburn, seed stems, brown blight and doubles;
 - (c) free from damage caused by broken mid-ribs, freezing, dirt, sunburn, discolouration, disease, aphid or other insects, mechanical or other injury or defect;
 - (d) properly packed.

CANADA NO. 1—ROOTS ATTACHED GRADE

- (3) Canada No. 1—Roots Attached lettuce is:
- (a) lettuce meeting all the requirements of Canada No. 1 grade except that “reasonably well trimmed” shall not apply.

Fruit, Vegetables and Honey Act—continued

CANADA No. 2 GRADE

- (4) Canada No. 2 lettuce is:
 - (a) lettuce of similar varietal characteristics which is fresh and reasonably well trimmed;
 - (b) not less than 75 per cent firm and the remainder fairly firm if of Iceberg type and fairly firm if of Big Boston type;
 - (c) free from split or burst heads, decay, tipburn, seed stems, brown blight and doubles;
 - (d) free from serious damage caused by broken mid-ribs, freezing, dirt, sunburn, discolouration, disease, aphids or other insects, mechanical or other injury or defect;
 - (e) properly packed.
- (5) Definitions of terms:
 - (a) "similar varietal characteristics" means that the heads in any package have the same characteristic leaf growth, for example, lettuce of the Iceberg and Big Boston types must not be mixed;
 - (b) "fresh" means that the head is crisp, although the wrapper leaves may be slightly wilted;
 - (c) "firm" as applied to heads of Iceberg type lettuce means that the head is compact and yields only slightly to pressure; as applied to heads of Big Boston type lettuce, means that the head is fairly compact;
 - (d) "burst" means that the head is broken open;
 - (e) "free from seed stems" means heads in which the seed stems are not showing or in which the formation of seed stems is not distinctly indicated;
 - (f) "doubles" means two heads on the same stem;
 - (g) "damage" means any injury which affects the appearance or the edible or shipping quality;
 - (h) "reasonably well trimmed" means that the butt is trimmed off close to the point of attachment of the outer leaves, that the coarse outer leaves have been removed, and that heads of Iceberg type do not have more than twelve wrapper leaves;
 - (i) "wrapper leaves" means all leaves which do not closely enfold the compact portion of the head;
 - (j) "fairly firm" means that although the head is not firm, it is not soft or spongy;
 - (k) "serious damage" means any injury which causes loss of a portion of the edible part of the head.

GENERAL TOLERANCES

- (6) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:
 - (a) 10 per cent grade defects but not exceeding 5 per cent for decay affecting the compact portion of the head including not more than 2 per cent slimy decay.

ONIONS

16. (1) The grades for onions are Canada No. 1, Canada No. 2, Canada No. 1 Pickling and Canada No. 3.

Fruit, Vegetables and Honey Act—continued

CANADA No. 1 GRADE

- (2) Canada No. 1 onions are:
- (a) well cured onions of similar varietal characteristics, which are firm and well shaped;
 - (b) free from doubles, scallions, seed stems, root growth, sprouted or peeled specimens;
 - (c) free from damage caused by freezing injury, disease, insects, dirt, leaves or other foreign matter, mechanical or other injury or defect;
 - (d) unless otherwise specified, of minimum and maximum diameters as follows:
 - $1\frac{1}{4}$ to $1\frac{3}{4}$ inches or the grade designation "Small";
 - $1\frac{3}{4}$ inches and up or the grade designation "Large";
 - (e) properly packed.

CANADA No. 2 GRADE

- (3) Canada No. 2 onions are:
- (a) fairly well cured onions of similar varietal characteristics which are fairly firm;
 - (b) free from doubles, scallions and seed stems;
 - (c) free from damage caused by disease, insects, sprouts, dirt, leaves or other foreign matter, mechanical or other injury or defect;
 - (d) free from serious damage caused by root growth or freezing;
 - (e) unless otherwise specified of minimum diameter $1\frac{3}{4}$ inches;
 - (f) properly packed.

CANADA No. 1 PICKLING GRADE

- (4) Canada No. 1 Pickling onions are:
- (a) well cured onions of similar varietal characteristics which are firm;
 - (b) free from doubles, scallions, root growth, sprouted, peeled or ovoid specimens;
 - (c) free from damage caused by freezing injury, disease, insects, dirt, leaves or other foreign matter, mechanical or other injury or defect;
 - (d) of minimum diameter $\frac{1}{2}$ inch and maximum diameter 1 inch;
 - (e) properly packed.

CANADA No. 3 GRADE

- (5) Canada No. 3 onions are:
- (a) onions failing to meet the requirements of the foregoing grades;
 - (b) free from decay;
 - (c) free from serious damage from any cause;
 - (d) of minimum diameter 1 inch;
 - (e) properly packed.
- (6) Any specified size range other than as prescribed in paragraph (d) of subsection (2) and paragraph (e) of subsection (3) shall be plainly marked on the container or on a tag attached thereto.

Fruit, Vegetables and Honey Act—continued

(7) Definitions of terms:

- (a) "well cured" means an onion which has the neck well dried out and is free from damage caused by weather conditions;
- (b) "well shaped" means having the shape characteristic of the variety, but slightly off-type specimens may be permitted;
- (c) "doubles" means an onion which has the outer skins broken exposing two centres of growth;
- (d) "scallion" means an onion which has a thick neck;
- (e) "peeled" means an onion which has lost its outer skins to such a degree that the edible flesh of the onion is exposed;
- (f) "fairly firm" means that the onion may yield slightly to moderate pressure but is not appreciably soft or spongy;
- (g) "ovoid" onion means an onion in which the length of the axis exceeds the diameter by $\frac{1}{4}$ inch;
- (h) "damage" means any injury or defect which affects the appearance or the edible or shipping quality;
- (i) "serious damage" means any injury or defect which seriously affects the appearance or the edible or shipping quality.

GENERAL TOLERANCES

(8) (a) In Canada No. 1 and Canada No. 2 grades the following shall be allowed as tolerances by weight for variations incident to proper grading, handling and packing:

- (i) 5 per cent below the prescribed or specified minimum size;
- (ii) 5 per cent above the prescribed or specified maximum size;
- (iii) 2 per cent decay;
- (iv) 5 per cent other grade defects.

(b) In Canada No. 1 Pickling grade the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (i) 1 per cent below minimum size;
- (ii) 25 per cent above maximum size but not exceeding 3 per cent larger than $1\frac{1}{4}$ inches in diameter;
- (iii) 10 per cent ovoid in shape;
- (iv) 2 per cent decay;
- (v) 5 per cent other grade defects.

(c) in Canada No. 3 grade the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (i) 5 per cent below minimum size;
- (ii) 5 per cent decay.

PARSNIPS

17. (1) The grades for parsnips are Canada No. 1 and Canada No. 2.

CANADA NO. 1 GRADE

(2) Canada No. 1 parsnips are:

- (a) parsnips of similar varietal characteristics which are firm but not woody, well trimmed, fairly smooth, fairly well shaped and reasonably clean;
- (b) free from decay and freezing injury;

Fruit, Vegetables and Honey Act—continued

- (c) free from damage caused by discolouration, sprouts, cuts, growth cracks, pithiness, insects, rodents, disease, mechanical or other injury or defect;
 - (d) of minimum length 5 inches;
 - (e) unless otherwise specified of minimum diameter $1\frac{3}{4}$ inches and maximum diameter 4 inches;
 - (f) properly packed.
- (3) Any specified size range other than as prescribed in paragraph (e) of subsection (2) shall be plainly marked on the container or on a tag attached thereto.

CANADA NO. 2 GRADE

- (4) Canada No. 2 parsnips are:
 - (a) parsnips of similar varietal characteristics which are firm but not woody, well trimmed, not badly misshapen;
 - (b) free from decay and freezing injury;
 - (c) free from serious damage caused by discolouration, dirt, secondary roots, bruises, cuts, growth cracks, pithiness, insects, rodents, disease, mechanical or other injury or defect;
 - (d) of minimum diameter $1\frac{1}{4}$ inches;
 - (e) properly packed.
- (5) Definitions of terms:
 - (a) “similar varietal characteristics” means that the parsnips in any package are of the same general type;
 - (b) “firm” means that the parsnip is not soft, flabby or shrivelled;
 - (c) “well trimmed” means that the tops are trimmed to not more than $\frac{3}{4}$ inch in length except that in Canada No. 2 grade occasional uncut leaves or leaf stems or new top growth exceeding this length which do not materially damage the appearance of the lot shall be permitted;
 - (d) “fairly smooth” means that the parsnip is not rough, ridged or covered with secondary rootlets;
 - (e) “fairly well shaped” means that the parsnip is not turnip-shaped or so forked or misshapen as to materially affect its appearance;
 - (f) “reasonably clean” means that the general appearance is not materially affected and that individual parsnips are not materially caked with dirt or materially stained;
 - (g) “decay” means decay from whatever cause;
 - (h) “badly misshapen” means that the parsnip is so forked or misshapen as to materially affect its appearance, or to cause a loss of more than 10 per cent of the total weight of the parsnip;
 - (i) “damage” means any injury from the causes mentioned which materially affects the appearance, edible or shipping quality of the individual parsnip, or which cannot be removed without a loss of more than 5 per cent of the total weight of the parsnip;
 - (j) “serious damage” means any damage from the causes mentioned which seriously affects the appearance of the individual parsnip, or which cannot be removed without a loss of more than 10 per cent of the total weight of the parsnip.

Fruit, Vegetables and Honey Act—continued

GENERAL TOLERANCES

(6) In each of the foregoing grades the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (a) 4 per cent below the prescribed or designated minimum size;
- (b) 8 per cent above the prescribed or designated maximum size;
- (c) 2 per cent decay;
- (d) 6 per cent other grade defects.

PEACHES

18. (1) The grades for peaches are Canada Select, Canada No. 1 and Canada No. 2.

CANADA SELECT GRADES

- (2) Canada Select peaches are:
 - (a) peaches of one variety which are well formed, uniformly mature, clean, sound, hand picked, sized and of superior colour for the variety;
 - (b) free from russeting, insect pests, insect injury, limb rub, hail marks, sunscald, skin punctures or breaks, disease, growth cracks, split pits and gum;
 - (c) free from damage caused by bruises;
 - (d) of minimum size $2\frac{3}{8}$ inches in diameter except that if packed in standard peach boxes the minimum size shall be 60 box count;
 - (e) properly packed.

CANADA NO. 1 GRADE

- (3) Canada No. 1 peaches are:
 - (a) peaches of one variety which are well formed, uniformly mature, clean, sound, hand picked, sized and of good colour for the variety;
 - (b) free from russeting, insect pests, insect injury, limb rub, hail marks, sunscald, skin punctures or breaks, disease, growth cracks, split pits and gum;
 - (c) free from damage caused by bruises;
 - (d) of size range 2 inches and up, or $2\frac{1}{8}$ inches and up, or $2\frac{1}{4}$ inches and up in diameter except that if packed in standard peach boxes the minimum size shall be 90 box count;
 - (e) properly packed.

CANADA NO. 2 GRADE

- (4) Canada No. 2 peaches are:
 - (a) peaches of one variety which are well formed, uniformly mature, clean, sound, hand picked and sized;
 - (b) free from insect pests, skin punctures or breaks and growth cracks;
 - (c) free from damage caused by russeting, bruises, insect injury, limb rub, hail marks, split pits and disease;
 - (d) of minimum size 90 box count
 - (e) properly packed in the standard peach box.

Fruit, Vegetables and Honey Act—continued

(5) For the purposes of the foregoing grades “damage” means:

- (a) bruises—handling and packing bruises exceeding $\frac{1}{2}$ inch in diameter in the aggregate area;
- (b) deformed peaches—when more than 15 per cent of the surface is affected;
- (c) split pit—split pit that is readily apparent;
- (d) russeting—russeting exceeding 5 per cent of the surface in the aggregate area;
- (e) limb rub—limb rub exceeding 5 per cent of the surface in the aggregate area;
- (f) hail marks—
 - (i) hail marks where the affected area is noticeably depressed and the skin is broken;
 - (ii) other hail marks exceeding 10 per cent of the surface in the aggregate area;
- (g) mildew, scab, ink spot and oak bug injury when exceeding 5 per cent of the surface in the aggregate area;
- (h) any other injury or defect affecting the appearance or the edible or shipping quality;
- (i) a combination of two or more of the above-mentioned defects, the total area of which exceeds the greater area tolerance.

(6) For the purposes of Canada Select, Canada No. 1 and Canada No. 2 grades:

- (a) “mature” means, in the case of peaches grown in British Columbia, that the peach shows a definite break from green in the ground colour and is well filled out for the variety;
- (b) “mature” means, in the case of peaches grown in Ontario, that the peach is well developed and has attained sufficient yellow in the ground colour to indicate that the peach will continue to ripen, but in any event the pressure test through the skin shall not exceed 18 pounds as indicated by a pressure tester with a $\frac{5}{16}$ inch plunger.

GENERAL TOLERANCES

(7) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, handling and packing:

- (a) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any one other defect.

PEARS

(In Boxes)

19. (1) The grades for pears when packed in the standard pear box are Canada Extra Fancy, Canada Fancy and Canada Commercial or “C”.

CANADA EXTRA FANCY GRADE

(2) Canada Extra Fancy pears are:

- (a) pears of one variety which are mature, hand picked, clean, well formed, sound and sized;
- (b) free from all insect pests, disease, hail marks, sunscald, spray burn, drought spots, insect injury, scald, visible black end;
- (c) free from damage caused by bruises, russeting, limb rub, leaf mark, skin punctures, or other injury or defect;

Fruit, Vegetables and Honey Act—continued

- (d) properly packed;
- (e) of a minimum size of 193 by count.
- (3) For the purposes of Canada Extra Fancy grade "damage" means:
 - (a) bruises exceeding three-quarters inch in diameter in the aggregate area;
 - (b) russeting—
 - (i) for Clairgeau, Flemish Beauty, Boussock, Bosc, Comice and Winter Nelis varieties, any russeting which is not a characteristic of the variety;
 - (ii) for other varieties, russeting which is not characteristic of the variety exceeding 15 per cent of the surface in the aggregate area;
 - (c) limb rub or leaf mark—
 - (i) any injury which is soft or not of russet character; or
 - (ii) any injury of a russet character affecting an aggregate area exceeding three-quarters inch in diameter;
 - (d) skin punctures—Anjou variety only
 - (i) at time of first inspection, any skin puncture;
 - (ii) at subsequent inspections, any skin puncture exceeding one-eighth inch in diameter;
 - (iii) two or more skin punctures;
 - (iv) any skin puncture one-eighth inch or less in diameter when more than 10 per cent of the pears in any one box are so affected;
 - other varieties
 - (i) any skin puncture;
 - (e) any other injury or defect which affects the appearance or the edible or shipping quality;
 - (f) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA FANCY GRADE

- (4) Canada Fancy pears are:
 - (a) pears of one variety which are mature, hand picked, clean, well formed, sound and sized;
 - (b) free from all insect pests, scald, drought spots, visible black end, and if for shipment out of Canada free from Oyster Shell scale;
 - (c) free from damage caused by bruises, russeting, insect injury, limb rub, leaf mark, hail marks, sunscald, spray burn, skin punctures, disease, or other injury or defect;
 - (d) properly packed;
 - (e) of minimum size of 193 by count.
- (5) For the purposes of Canada Fancy grade "damage" means:
 - (a) bruises exceeding three-quarters inch in diameter in the aggregate area;
 - (b) russeting—
 - (i) for Clairgeau, Flemish Beauty, Boussock, Bosc, Comice and Winter Nelis varieties, any russeting which is not characteristic;
 - (ii) for other varieties, russeting which is not characteristic of the variety exceeding 25 per cent of the surface in the aggregate area;

Fruit, Vegetables and Honey Act—continued

- (c) stings—
 - (i) any insect sting affecting an area exceeding one-eighth inch in diameter exclusive of any encircling green ring; or
 - (ii) three or more insect stings;
- (d) leaf roller—
 - (i) any injury which deforms the fruit; or
 - (ii) any other injury affecting an aggregate area exceeding one-half inch in diameter;
- (e) Oyster Shell scale—three or more spots;
- (f) limb rub or leaf mark—
 - (i) any injury which is soft or not of russet character; or
 - (ii) any injury of russet character affecting an aggregate area exceeding three-quarters inch in diameter;
- (g) hail marks—
 - (i) any injury where the affected area is noticeably depressed or the skin is broken or discoloured; or
 - (ii) any injury of a russet character affecting an area exceeding one-half inch in diameter in the aggregate.
- (h) sunscald or spray burn which does not blend with the normal colour of the pear or which has caused blistering or cracking of the skin;
- (i) skin punctures—Anjou variety only on first inspection—
 - (i) two or more skin punctures;
 - (ii) any skin puncture exceeding one-eighth inch in diameter; or
 - (iii) one skin puncture one-eighth inch or less in diameter when more than 10 per cent of the pears in any box are so affected;
 on re-inspection—
 - (i) three or more skin punctures;
 - (ii) any skin punctures exceeding one-eighth inch in diameter; or
 - (iii) up to two skin punctures, each one-eighth inch or less in diameter when more than 10 per cent of the pears in any box are so affected;
 —other varieties
 - (i) any skin puncture;
- (j) scab spots exceeding one-quarter inch in diameter in the aggregate area;
- (k) any other injury or defect which materially affects the appearance or the edible or shipping quality;
- (l) a combination of two or more of the above-mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA COMMERCIAL OR "C" GRADE

- (6) Canada Commercial or "C" grade pears are:
 - (a) pears of one variety which are mature, hand picked, clean, sound and sized if tiered;
 - (b) free from all insect pests, scald, visible black end, and if for shipment out of Canada free from Oyster Shell scale;
 - (c) free from serious damage caused by bruises, insect injury, limb rub, sunscald, spray burn, skin puncture, drought spots, hail marks, disease, or other injury or defects;

Fruit, Vegetables and Honey Act—continued

- (d) if tiered—of a minimum size of 228 by count for Winter Nelis and of a minimum size of 210 by count for other varieties; if not tiered— $2\frac{1}{16}$ inches minimum diameter;
 - (e) properly packed.
- (7) For the purposes of Canada Commercial or “C” grade “serious damage” means:
- (a) bruises—
 - (i) soft bruises; or
 - (ii) handling and box bruises exceeding one inch in diameter in the aggregate area;
 - (b) healed over stings exceeding one-half inch in diameter in the aggregate area;
 - (c) leaf roller exceeding 15 per cent of the surface in the aggregate area;
 - (d) Oyster Shell scale—three or more spots;
 - (e) limb rub exceeding 15 per cent of the surface in the aggregate area;
 - (f) sunscald or spray burn—
 - (i) soft sunscald or spray burn; or
 - (ii) sunscald or spray burn affecting more than 15 per cent of the surface in the aggregate area;
 - (g) skin punctures—Anjou variety only
 - (i) on first inspection—three or more skin punctures exceeding one-eighth inch in diameter;
 - (ii) on subsequent inspection—four or more skin punctures exceeding one-eighth inch in diameter;—other varieties
 - (i) any skin puncture;
 - (h) drought spot—
 - (i) any drought spot where the affected area is noticeably depressed or discoloured; or
 - (ii) more than three drought spots;
 - (i) hail marks—
 - (i) hail marks when the skin is broken; or
 - (ii) well healed hail marks exceeding one-half inch in diameter in the aggregate area;
 - (j) scab spots exceeding one-half inch in diameter in the aggregate area;
 - (k) speckled mildew—
 - (i) any speckled mildew less than three-quarters inch from the calyx; or
 - (ii) speckled mildew affecting more than 5 per cent of the surface in the aggregate area;
 - (l) slightly deformed pears when more than 25 per cent of the surface is affected;
 - (m) any other injury or defect which seriously affects the appearance or the edible or shipping quality;
 - (n) a combination of two or more of the above-mentioned defects, the total area of which exceeds the lesser area tolerance.

Fruit, Vegetables and Honey Act—continued

CANADA COMBINATION GRADE

(8) A combination of Canada Fancy and Canada Commercial or “C” grade pears may be packed with at least 50 per cent of the pears in any package meeting the requirements of the higher grade; sized if tiered.

NOTE: The grade designation may be abbreviated as “CANADA COMB FCY-C”.

(9) No pears except Seckel and pickling varieties shall be packed in Canada Extra Fancy and Canada Fancy grades unless tiered.

GENERAL TOLERANCES

(10) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent below minimum size;
- (b) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect except;
- (c) no tolerance shall be allowed for Oyster Shell scale in pears for shipment out of Canada;
- (d) in the combination grade no part of any tolerance shall be allowed to reduce the 50 per cent of the higher grade required in the combination.

PEARS

(In Other Containers)

20. (1) The grades for pears when packed in other than the standard pear box are Canada No. 1, Canada Domestic and Canada No. 3—(see subsection (8) re “Export Pack”.)

CANADA No. 1 GRADE

- (2) Canada No. 1 pears are:
 - (a) pears of one variety which are mature, hand picked, clean, well formed and sound;
 - (b) free from all insect pests, disease, hail marks, sunscald, spray burn, drought spots, insect injury, scald, black end, skin punctures;
 - (c) free from damage caused by bruises, russeting, limb rub, or other injury or defect;
 - (d) except as provided in subsection (8) of minimum diameter as follows:

Clairgeau and Duchess varieties	2½ inches
Clapp Favourite, Flemish Beauty, Howell and Anjou varieties	2¼ inches
Bosc, Bartlett, Kieffer and Sheldon varieties	2⅛ inches
Gifford, Winter Nelis and Lawson varieties	2 inches
Seckel	1¼ inches;
 - (e) properly packed.
- (3) For the purposes of Canada No. 1 grade “damage” means:
 - (a) bruises—
 - (i) any handling and package bruises causing brown discolouration under the skin; or
 - (ii) any other bruises exceeding one inch in diameter in the aggregate area;

Fruit, Vegetables and Honey Act—continued

- (b) russeting—
 - (i) for varieties Flemish Beauty, Boussock, Bosc, Comice and Winter Nelis, any russeting which is not characteristic of the variety;
 - (ii) for other varieties, russeting which is not characteristic of the variety which affects more than 15 per cent of the surface in the aggregate area;
- (c) limb rub or leaf mark—
 - (i) any injury which is soft or not of russet character; or
 - (ii) any injury of russet character affecting an aggregate area exceeding three-quarters inch in diameter;
- (d) any other injury or defect which affects the appearance or the edible or shipping quality;
- (e) a combination of two or more of the above-mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA DOMESTIC GRADE

- (4) Canada Domestic pears are:
 - (a) pears of one variety which are mature, hand picked, clean, well formed and sound;
 - (b) free from all drought spots, black end, scald, and if for shipment out of Canada free from Oyster Shell scale;
 - (c) free from damage caused by bruises, russeting, insect injury, limb rub, skin punctures, hail marks, sunscald, spray burn, disease, or other injury or defect;
 - (d) except as provided in subsection (8) of minimum diameter as follows:

Clairgeau and Duchess varieties	2 $\frac{1}{4}$ inches
Howell and Clapp Favourite varieties	2 inches
Bartlett and Sheldon varieties	1 $\frac{7}{8}$ inches
Flemish Beauty, Anjou and Bosc varieties	1 $\frac{3}{4}$ inches
Kieffer variety	1 $\frac{5}{8}$ inches
Gifford, Winter Nelis and Lawson varieties	1 $\frac{1}{2}$ inches
Seckel variety	1 inch;
 - (e) properly packed.
- (5) For the purposes of Canada Domestic grade “damage” means:
 - (a) bruises—
 - (i) any handling and package bruises causing brown discolouration under the skin; or
 - (ii) any other bruises exceeding one inch in diameter in the aggregate area;
 - (b) russeting—
 - (i) for varieties Flemish Beauty, Boussock, Bosc, Comice and Winter Nelis, any russeting which is not characteristic of the variety; or
 - (ii) for other varieties, russeting which is not characteristic of the variety which affects more than 25 per cent of the surface in the aggregate area;
 - (c) stings—
 - (i) any insect sting affecting an area exceeding one-eighth inch in diameter exclusive of any encircling green ring; or
 - (ii) three or more insect stings;

Fruit, Vegetables and Honey Act—continued

- (d) Oyster Shell scale—three or more spots;
- (e) limb rub—
 - (i) any injury which is soft or not of russet character; or
 - (ii) any injury of a russet character affecting an area exceeding three-quarters inch in diameter;
- (f) skin punctures—Anjou variety only
 - on first inspection—
 - (i) two or more skin punctures;
 - (ii) any skin puncture exceeding one-eighth inch in diameter; or
 - (iii) one skin puncture one-eighth inch or less in diameter when more than 15 per cent of the pears in any one package are so affected;
 - on re-inspection—
 - (i) three or more skin punctures;
 - (ii) any skin puncture exceeding one-eighth inch in diameter; or
 - (iii) up to two skin punctures, each one-eighth inch or less in diameter when more than 15 per cent of the pears in any one package are so affected;
 - other varieties
 - (i) any skin puncture;
- (g) hail marks—
 - (i) any injury where the skin is broken, discoloured or where the indentations are noticeable; or
 - (ii) any injury exceeding one-half inch in diameter in the aggregate area;
- (h) sunscald or spray burn which does not blend with the normal colour of the pear or which has caused blistering or cracking of the skin;
- (i) scab spots exceeding one-quarter inch in diameter in the aggregate area;
- (j) any other injury or defect which materially affects the appearance or the edible or shipping quality;
- (k) a combination of two or more of the above-mentioned defects, the total area of which exceeds the lesser area tolerance.

CANADA No. 3 GRADE

- (6) Canada No. 3 pears are:
 - (a) pears of one variety which are mature, hand picked and sound;
 - (b) free from serious damage caused by bruises, insect injury, limb rub, hail marks, sunscald, spray burn, skin puncture, drought spot, disease, or other injury or defect;
 - (c) of minimum diameter one inch for Seckel variety and 1½ inches for all other varieties;
 - (d) properly packed.
- (7) For the purposes of Canada No. 3 grade “serious damage” means:
 - (a) bruises exceeding 15 per cent of the surface in the aggregate area;
 - (b) leaf roller which deforms more than 25 per cent of the surface;
 - (c) any insect injury other than Oyster Shell scale where the skin is broken or which affects more than 15 per cent of the surface in the aggregate area;
 - (d) limb rub or leaf mark affecting more than 15 per cent of the surface in the aggregate area;

Fruit, Vegetables and Honey Act—continued

- (e) hail marks—
 - (i) when the skin is broken; or
 - (ii) any other injury exceeding three-quarters inch in diameter in the aggregate area;
- (f) sunscald or spray burn—
 - (i) which is soft; or
 - (ii) any injury which affects more than 15 per cent of the surface in the aggregate area;
- (g) skin punctures—Anjou variety only
 - (i) on first inspection—three or more skin punctures exceeding one-eighth inch in diameter;
 - (ii) on subsequent inspection—four or more skin punctures exceeding one-eighth inch in diameter;

—other varieties

 - (i) any skin puncture;
- (h) drought spots where the surface is noticeably depressed;
- (i) scab spots affecting more than 15 per cent of the surface in the aggregate area;
- (j) appreciably deformed pears;
- (k) any other injury or defect which seriously affects the appearance or the edible or shipping quality;
- (l) a combination of two or more of the above mentioned defects, the total area of which exceeds the lesser area tolerance.

(8) For shipment out of Canada, Canada No. 1 and Canada Domestic grade pears may be packed to the following size ranges according to variety provided that in addition to other marks required the size range shall be clearly marked on each package in figures not less than one-quarter inch in length.

Clairgeau and Duchess	2¼"-2½"; 2½" up;
Howell and Clapp Favourite	2"-2¼"; 2¼"-2½"; 2½" up;
Bartlett, Flemish Beauty,	} 1¾"-2"; 2"-2¼"; 2½" up;
Kieffer, Anjou, Bosc, Gifford	
Winter Nelis and Lawson	
Seckel	1"-1¼"; 1¼"-1½"; 1½" up.

GENERAL TOLERANCES

(9) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent below the minimum or declared minimum size;
- (b) 5 per cent above the maximum size stated on the package;
- (c) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect except;
- (d) no tolerance shall be allowed for Oyster Shell scale in pears for shipment out of Canada.

PLUMS AND FRESH PRUNES

21. (1) The grades for plums and fresh prunes are Canada Select, Canada No. 1 and Canada No. 2.

Fruit, Vegetables and Honey Act—continued

CANADA SELECT GRADE

- (2) Canada Select plums and fresh prunes are:
- (a) plums and prunes of one variety which are table graded, mature, clean, sound, well formed and for the variety of superior size and colour;
 - (b) free from stemless fruit, purple spot, plum rot, insect pests, insect injury, limb rub, leaf mark, hail marks, sunscald, skin punctures, skin breaks, russeting, bruises, disease, growth cracks, drought spot or any other injury or defect;
 - (c) properly packed.

CANADA No. 1 GRADE

- (3) Canada No. 1 plums and fresh prunes are:
- (a) plums and prunes of one variety which are mature, clean, sound, well formed and for the variety of good size and colour;
 - (b) free from purple spot, plum rot, insect pests, insect injury, limb rub, leaf marks, hail marks, sunscald, skin punctures, skin breaks, disease, growth cracks and drought spot;
 - (c) free from damage caused by bruises, russeting, superficial cracks, stemless specimens or any other injury or defect;
 - (d) properly packed.

CANADA No. 2 GRADE

- (4) Canada No. 2 plums and fresh prunes are:
- (a) plums and prunes of one variety which are mature, clean, sound, well formed and for the variety of fair colour;
 - (b) free from purple spot, plum rot, insect pests, insect injury, skin punctures, skin breaks and disease;
 - (c) free from serious damage caused by bruises, russeting, limb rub, leaf marks, sunscald, growth cracks, drought spot, stemless specimens or any other injury or defect;
 - (d) properly packed in the standard box.

(5) For the purposes of Canada Select and Canada No. 1 grades "damage" means:

- (a) bruises—bruises in excess of those incident to good commercial handling and packing;
 - (b) russeting—russeting exceeding 10 per cent of the surface in the aggregate area;
 - (c) stemless specimens when the skin is torn beyond the stem basin;
 - (d) any other injury or defect affecting the appearance or the edible or shipping quality;
 - (e) a combination of two or more of the above-mentioned defects, the total area of which exceeds the greater area tolerance.
- (6) For the purposes of Canada No. 2 grade "serious damage" means:
- (a) bruises—bruises exceeding 15 per cent of the surface in the aggregate area;
 - (b) russeting—russeting exceeding 25 per cent of the surface in the aggregate area;
 - (c) limb rub or leaf mark exceeding 15 per cent of the surface in the aggregate area;

Fruit, Vegetables and Honey Act—continued

- (d) hail marks—noticeable hail marks exceeding 15 per cent of the surface in the aggregate area;
- (e) sunscald—sunscald which does not blend with the normal colour or which has caused blistering or cracking of the skin;
- (f) growth cracks—
 - (i) two or more growth cracks;
 - (ii) any well healed and shallow growth cracks exceeding $\frac{1}{4}$ inch in length;
 - (iii) any growth crack which is deep or unhealed;
- (g) drought spot—drought spot exceeding 10 per cent of the surface in the aggregate area;
- (h) scars—scars exceeding 15 per cent of the surface in the aggregate area;
- (i) stemless specimens when the skin is torn beyond the stem basin;
- (j) any other injury or defect seriously affecting the appearance or the edible or shipping quality;
- (k) a combination of two or more of the above-mentioned defects, the total area of which exceeds the greater area tolerance.

(7) Definitions of terms:

- (a) “good colour for the variety” means—for Italian type prunes, not less than 75 per cent characteristic colour; for all other varieties of prunes and for plums, colour characteristic of the variety when mature;
- (b) “good size for variety” means:
 - (i) when packed in tiers in four-basket crates of minimum size 5 x 6;
 - (ii) when packed in other containers:

<i>Variety</i>	<i>Minimum Size</i>
Burbank, Shiro, Monarch, Grand Duke, Washington, President and Albion varieties....	$1\frac{3}{8}$ " in diameter;
Bradshaw, Black Diamond and all varieties commonly known as “Early Blues” except Moore’s Arctic and Geuii	$1\frac{1}{4}$ " in diameter;
“Firsts”, Eickmeer, Imperial Gage, Reine Claude, Early Golden, Italian type prunes, Stanley, Imperial Epin- euse, Moore’s Arctic and Geuii	$1\frac{1}{8}$ " in diameter;
Germon prunes, Lombard and Green Gage varieties	1" in diameter;
Shropshire Damsons	$\frac{3}{4}$ " in diameter;
All other varieties	the normal size of a fully de- veloped specimen of the variety;

- (c) “Italian type” means prunes that are “free-stone”.

Fruit, Vegetables and Honey Act—continued

GENERAL TOLERANCES

- (8) (a) In Canada Select grade the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:
- (i) 5 per cent grade defects but not exceeding $2\frac{1}{2}$ per cent for any one defect;
- (b) In Canada No. 1 and Canada No. 2 grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:
- (i) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect.

POTATOES

22. (1) The grades for table potatoes are Canada Fancy, Canada No. 1, Canada No. 1 Large, Canada No. 1 Small (for shipment out of Canada only) and Canada No. 2.

CANADA FANCY GRADE

- (2) Canada Fancy potatoes are:
- (a) potatoes of one variety which are bright, well shaped, mature and firm;
 - (b) free from dumbbells, specimens from which knobs have been removed, secondary growth, growth cracks, sprouts, sunburn, hollow heart, sprain (spraing), necrosis, cuts, bruises, freezing injury, dry rot, scab, bacterial ring rot, blight, soft rot, other disease, internal discolouration, insect injury, mechanical injury or other defects;
 - (c) of minimum diameter 2 inches and maximum diameter 4 inches with not less than 75 per cent by weight of the potatoes in the lot $2\frac{1}{4}$ inches or larger in diameter, except that in the case of long shaped varieties the minimum diameter may be $1\frac{3}{4}$ inches for specimens not less than 3 inches in length, with not less than 75 per cent by weight of the potatoes in any lot 2 inches or larger in diameter;
 - (d) properly packed.

CANADA NO. 1 GRADE

- (3) Canada No. 1 potatoes are:
- (a) potatoes of similar varietal characteristics which are firm, reasonably mature and reasonably clean;
 - (b) free from dumbbells, specimens from which knobs have been removed, sunburn, hollow heart, necrosis, sprain (spraing), freezing injury, bacterial ring rot and soft rot;
 - (c) free from damage caused by abnormal growth, growth cracks, cuts, scab, dry rot, blight or other disease, sprouts, insect injury, mechanical or other injury or defect;
 - (d) of minimum diameter 2 inches and maximum diameter 4 inches with not less than 75 per cent by weight of the potatoes in the lot $2\frac{1}{4}$ inches or larger in diameter, except that in the case of long shaped varieties the minimum diameter may be $1\frac{3}{4}$ inches for specimens of not less than $3\frac{1}{2}$ inches in length;
 - (e) properly packed.

Fruit, Vegetables and Honey Act—continued

CANADA NO. 1 LARGE GRADE

(4) Canada No. 1 Large potatoes are potatoes meeting the requirements of Canada No. 1 grade except that a minimum diameter of $3\frac{1}{4}$ inches shall be the only size requirement for this grade.

CANADA NO. 1 SMALL GRADE

(5) Canada No. 1 Small potatoes (for shipment out of Canada) are potatoes meeting the requirements of Canada No. 1 grade except that the minimum diameter is $1\frac{1}{2}$ inches and the maximum diameter is $2\frac{1}{4}$ inches.

(6) For the purposes of Canada No. 1, Canada No. 1 Large and Canada No. 1 Small "damage" means:

- (a) scab—
 - (i) pitted scab or any other form of scab which affects the tissue of the tuber;
 - (ii) surface scab exceeding 5 per cent of the surface in the aggregate area; or
 - (iii) any surface scab affecting more than 20 per cent of the potatoes in any lot;
- (b) sprouts exceeding one inch in length when more than 10 per cent of the potatoes in any lot are so affected;
- (c) any other injury or defect which causes a waste of more than 5 per cent of the weight of the potato including peel covering the defect area.

CANADA NO. 2 GRADE

- (7) Canada No. 2 potatoes are:
 - (a) potatoes of similar varietal characteristics which are reasonably firm, reasonably mature and reasonably clean;
 - (b) free from dumbbells, specimens from which the knobs have been removed, sprain (spraing), freezing injury, hollow heart, bacterial ring rot and soft rot;
 - (c) free from serious damage caused by sunburn, abnormal growth, growth cracks, cuts, scab, dry rot, blight or other disease, insect injury, mechanical or other injury or defect;
 - (d) of minimum diameter $1\frac{3}{4}$ inches with not less than 75 per cent by weight of the potatoes in the lot 2 inches or larger in diameter;
 - (e) properly packed.
- (8) For the purposes of Canada No. 2 grade "serious damage" means:
 - (a) scab—surface scab when more than 25 per cent of the surface of the potato in the aggregate is affected;
 - (b) any other injury or defect which causes a waste of more than 10 per cent of the weight of the potato including peel covering the defective area.

(9) The provisions of this section with elimination of the words "reasonably mature" shall apply to new potatoes, provided that until August 31 inclusive in each calendar year a minimum diameter of $1\frac{7}{8}$ inches shall be the only size requirements for new potatoes.

(10) Definitions of terms:

- (a) "bright" means free from dirt or other foreign matter, damage or discolouration from any cause, so that the outer skin has the attractive colour normal for the variety;

Fruit, Vegetables and Honey Act—continued

- (b) “well shaped” means the typical shape for the variety in the district where grown, and free from pointed or excessively elongated and other ill-shaped specimens;
- (c) “mature” means that the outer skin is firm and that there is no evidence of feathering;
- (d) “soft rot” means any soft, mushy condition of the tissue from whatever cause;
- (e) “reasonably mature” means that the outer skin does not loosen or feather readily during the ordinary methods of handling;
- (f) “reasonably clean” means that the general appearance is not materially affected and that individual potatoes are not materially caked with dirt or materially stained.

GENERAL TOLERANCES

(11) Provided that the combined total of all defects shall not exceed 10 per cent in any lot and that at least one defective and one off-sized specimen is permitted in any container, the following shall be allowed as tolerances by weight for variations incident to proper grading, packing and handling:

- (a) 2 per cent below minimum size and 5 per cent above maximum size;
- (b) 1 per cent soft rot other than bacterial ring rot;
- (c) 3 per cent hollow heart, except that in Canada No. 2 grade 10 per cent shall be allowed;
- (d) 4 per cent in total of other grade defects which may be increased to 6 per cent in destination inspections if the above-mentioned combined total of 10 per cent is not exceeded thereby.

FIELD RHUBARB

23. (1) The grades for field rhubarb are Canada No. 1 and Canada No. 2.

CANADA NO. 1 GRADE

- (2) Canada No. 1 field rhubarb is:
 - (a) rhubarb which is fresh, well trimmed and not wilted;
 - (b) not less than one-third red colour;
 - (c) free from stalks pulled from the seed stem, disease, insects or other pests, dirt, trimmings, and other foreign material;
 - (d) of minimum diameter $\frac{3}{4}$ inch or of minimum circumference $2\frac{1}{2}$ inches at or near the butt and minimum length 10 inches;
 - (e) properly packed, placed one way in the container.

CANADA NO. 2 GRADE

(3) Canada No. 2 rhubarb is rhubarb that fails to meet the requirements of Canada No. 1 grade but which is free from decay.

(4) Definitions of terms:

- (a) “well trimmed” means that the butt shall be left uncut with the skin removed, at the top with a slight prong not exceeding one inch in length, but in the event of the stalks being too long for the container, the leaf end only shall be cut.

Fruit, Vegetables and Honey Act—continued

GENERAL TOLERANCES

(5) In Canada No. 1 grade the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not exceeding 5 per cent for any one defect except that no tolerance shall be allowed for decay and stalks below minimum length.

FORCED RHUBARB

24. Forced rhubarb shall be advertised, displayed, sold, offered or had in possession for sale, only by weight or by the bunch weighing not more than 17 ounces nor less than 16 ounces when packed but not less than 15 ounces per bunch when offered for retail sale as originally packed.

STRAWBERRIES

25. (1) The grade for strawberries, when offered for sale on a grade basis, is Canada No. 1.

CANADA No. 1 GRADE

- (2) Canada No. 1 strawberries are:
 - (a) strawberries with the cap (calyx) attached which are well formed, of good colour and firm but not over-ripe;
 - (b) free from surface moisture, bruises, bird pecks and mould;
 - (c) free from damage caused by sand, disease or other injury or defect;
 - (d) of minimum diameter:
 - (i) Early Bird, Dunlap and Everbearing varieties— $\frac{5}{8}$ inch;
 - (ii) other varieties— $\frac{3}{4}$ inch;
 - (e) properly packed.

(3) In addition to other marks required each crate shall be marked on one end with the grade designation.

- (4) Definitions of terms:
 - (a) "damage" means any injury from the causes mentioned which affects the appearance or the edible or shipping quality;
 - (b) "over-ripe" means dead ripe, becoming soft, a condition unfit for shipment and necessitating immediate consumption.

GENERAL TOLERANCES

(5) In the foregoing grade the following shall be allowed as tolerances by count or weight for variations incident to proper grading, packing and handling:

- (a) 5 per cent below minimum size;
- (b) 10 per cent grade defects.

FIELD TOMATOES

26. (1) The grades for field tomatoes are Canada Select, Canada No. 1 and Canada No. 2.

CANADA SELECT GRADE

- (2) Canada Select tomatoes are:
 - (a) tomatoes of one variety which are sound, smooth, clean, well formed and of uniform state of development that conforms to one of the following maturities: "Mature", "Turning", "Semi-ripe" and "Firm-ripe";

Fruit, Vegetables and Honey Act—continued

- (b) free from blossoms, stem ends, scald, growth cracks, water blisters, ground spots, worm holes, disease, or scars which indent or misshap the tomatoes;
- (c) free from damage caused by insects or other injury or defect;
- (d) of minimum and maximum diameters as follows:
 - (i) $2\frac{1}{4}$ inches to $2\frac{1}{2}$ inches;
 - (ii) $1\frac{3}{4}$ inches to $2\frac{1}{4}$ inches;
 - (iii) $1\frac{1}{2}$ inches to $1\frac{3}{4}$ inches provided that in this size range, in addition to all other marks required, the packages are marked with the minimum and maximum sizes;
- (e) properly packed.

CANADA No. 1 GRADE

- (3) Canada No. 1 tomatoes are:
 - (a) tomatoes of similar varietal characteristics which are sound, clean, well formed, reasonably smooth and of uniform state of development that conforms to one of the following maturities: "Mature", "Turning", "Semi-ripe" and "Firm-ripe";
 - (b) free from disease scald, water blisters, ground spots, stem ends and worm holes;
 - (c) free from damage caused by growth cracks, blossom end, plant or stem rub, insect injury or other injury or defect;
 - (d) of minimum diameter 2 inches or of size range $1\frac{1}{2}$ inches minimum diameter and 2 inches maximum diameter provided that in this size range in addition to all other marks required the packages shall be marked with the minimum and maximum size;
 - (e) properly packed.

CANADA No. 2 GRADE

- (4) Canada No. 2 tomatoes are:
 - (a) tomatoes of similar varietal characteristics which are sound, clean and of uniform state of development that conforms to one of the following maturities: "Mature", "Turning", "Semi-ripe" and "Firm-ripe";
 - (b) free from decay, water blisters, open wet cracks, badly misshapen, rough or russeted specimens;
 - (c) free from serious damage caused by bruises, sunscald, catfaces, growth cracks, disease, insects or other injury or defect;
 - (d) of minimum diameter $1\frac{3}{4}$ inches;
 - (e) properly packed.

(5) Tomatoes meeting the requirements of Canada No. 2 grade may be marked "Canada Domestic" when packed in baskets or hampers.

(6) When immature tomatoes are packed green for pickling purposes they shall in all other respects conform to the requirements of Canada No. 1 or Canada No. 2 grades and in addition to all other marks required each package shall be marked "Picklers" or "Pickling Tomatoes".

(7) For the purposes of Canada Select and Canada No. 1 grades "damage" means:

- (a) concentric scars around the stem end exceeding one complete circle $1\frac{1}{4}$ inches in diameter in the aggregate;
- (b) any growth crack which is not well healed over;

Fruit, Vegetables and Honey Act—continued

- (c) well healed growth cracks exceeding $\frac{3}{4}$ inch in length;
- (d) plant or stem rub exceeding 5 per cent of the surface in the aggregate area;
- (e) insect injury—
 - (i) more than two well healed over stings;
 - (ii) any insect stings which are not well healed over;
- (f) blossom end exceeding 5 per cent of the surface in the aggregate area;
- (g) any other injury or defect which affects the appearance or the edible or shipping quality;
- (8) For the purposes of Canada No. 2 grade “serious damage” means:
 - (a) catfaces which are rough or deep or which affect an area exceeding one inch in diameter;
 - (b) any other injury or defect which seriously affects the appearance or the edible or shipping quality.
- (9) Definitions of terms:
 - (a) In each of the foregoing grades at shipping point:
 - (i) “Mature” means, except for tomatoes grown in British Columbia, that the tomato shows a definite tinge of pink at blossom end;
 - (ii) “Mature” means, in the case of tomatoes grown in British Columbia, that the tomato is fully developed, well filled out, yields to pressure giving a feeling of springiness, bright waxy in appearance, seeds well developed and with the seed cavities showing a jelly-like consistency. A tolerance of 25 per cent of the next succeeding (Turning) state of maturity shall be allowed;
 - (iii) “Turning” means that the tomato shows from a tinge to 25 per cent colour. A combined tolerance of 15 per cent of the preceding (Mature) and the next succeeding (Semi-ripe) stage of maturity shall be allowed, except that such tolerance shall be 5 per cent for tomatoes grown in Ontario.
 - (iv) “Semi-ripe” means that the tomato shows from 25 per cent to 75 per cent colour. A combined tolerance of 15 per cent of the next preceding (Turning) and the next succeeding (Firm-ripe) state of maturity shall be allowed, except that such tolerance shall be 5 per cent for tomatoes grown in Ontario;
 - (v) “Firm-ripe” means that the tomato shows from 75 per cent to full colour. A tolerance of 15 per cent of the next preceding (Semi-ripe) state of maturity shall be allowed, except that such tolerance shall be 5 per cent for tomatoes grown in Ontario;
 - (b) “reasonably smooth” means not noticeably ridged, angular or indented;
 - (c) “badly misshapen” means that the tomato is so badly deformed that its appearance is seriously affected;
 - (d) “catfaces” means irregular, dark, leathery scars affecting the blossom end.

Fruit, Vegetables and Honey Act—continued**GENERAL TOLERANCES**

(10) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 10 per cent grade defects but not exceeding 3 per cent decay or 5 per cent for any other one defect.

HOTHOUSE TOMATOES

27. (1) The grades for hothouse tomatoes grown in British Columbia are Canada No. 1, Canada Dessert and Canada No. 2.

CANADA NO. 1 GRADE

(2) Canada No. 1 hothouse tomatoes are:

- (a) tomatoes of similar varietal characteristics which are round or slightly oval, smooth and sound, uniformly coloured, mature but not over-ripe;
- (b) free from disease, blemishes or other injury or defect;
- (c) uniform in size but in 2-tier packs the size range may be $\frac{3}{8}$ inch;
- (d) properly packed.

CANADA NO. 2 GRADE

(3) Canada No. 2 hothouse tomatoes are:

- (a) tomatoes of similar varietal characteristics which are sound and mature but not over-ripe;
- (b) free from badly misshapen tomatoes, growth cracks, disease or any other injury or defect which penetrates the outer wall of the tomato;
- (c) properly packed.

(4) Canada No. 1 and Canada No. 2 grades shall be packed in the standard 4-basket crate either $4\frac{1}{2}$ or $4\frac{3}{4}$ inches in depth and each basket of tomatoes shall contain a minimum net weight of 5 pounds with not less than 12 and not more than 28 tomatoes in 2-tier packs or not less than 30 and not more than 44 tomatoes in 3-tier packs.

CANADA DESSERT GRADE

(5) Canada Dessert hothouse tomatoes are those meeting the requirements of Canada No. 1 grade except that each basket shall contain not less than 46 and not more than 75 tomatoes.

CANADA NO. 3 GRADE

(6) Canada No. 3 hothouse tomatoes are:

- (a) tomatoes failing to meet the requirements of the foregoing grades;
- (b) free from open growth cracks, open scars and badly misshapen tomatoes;
- (c) properly packed in the standard crate—length $15\frac{3}{4}$ inches, width $15\frac{3}{4}$ inches, depth $4\frac{1}{2}$ inches.

GENERAL TOLERANCES

(7) In each of the foregoing grades the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:

- (a) 5 per cent grade defects but not exceeding 1 per cent decay.

Fruit, Vegetables and Honey Act—continued

TURNIPS OR RUTABAGAS

28. (1) The grade for waxed or unwaxed turnips or rutabagas is Canada No. 1.

CANADA NO. 1 GRADE

- (2) Canada No. 1 turnips or rutabagas are:
 - (a) turnips or rutabagas of similar varietal characteristics which are firm, well trimmed, fairly smooth and fairly well shaped;
 - (b) free from soft rot;
 - (c) free from damage caused by freezing, pithiness, watercore, black rot, dry rot, disease, insects, growth cracks, cuts, dirt, mechanical or other injury or defect;
 - (d) properly packed.

(3) Turnips or rutabagas may be packed to any designated size range if so marked, or to any of the following size ranges which for trade purposes may be designated as Small, Small Medium, Medium and Large respectively:

2" to 4"	Small
*3½" to 5"	Small Medium
4" to 6"	Medium
5" and up	Large

- (4) Definitions of terms:
 - (a) "waxed" means that clean, dry turnips have been completely immersed in a wax solution;
 - (b) "similar varietal characteristics" means that the turnips in any package are of similar colour and shape; that is, bronze top not mixed with purple tops, nor globe type with long type;
 - (c) "firm" means that the turnips are not soft or shrivelled;
 - (d) "fairly well shaped" means that the turnips are reasonably regular in contour and that the length of the trimmed specimen is not more than one and one-half times the diameter;
 - (e) "well trimmed" means that the top is trimmed to not more than a maximum of ¾ inch in length, that unattractive secondary rootlets have been removed and that any objectionably long or coarse tail-like part of the root has been cut off except that for the waxed product the stalk and root only may be cut back and the lower half of the turnip smoothly but not deeply trimmed to remove surface blemishes;
 - (f) "soft rot" means any soft mushy condition of the tissue;
 - (g) "damage" means:—
 - (i) any external injury from the causes mentioned which affects in the aggregate 25 per cent of the lower half of the turnip or which causes a waste of more than 5 per cent by weight, including peel covering the defective area;
 - (ii) any internal injury from insects, freezing, pithiness, black rot, water core or other disease which affects the edible or shipping quality or which causes a waste of more than 5 per cent by weight including peel covering the defective area.

*Until August 31 inclusive in each crop year a size range of 3" to 5½" is permitted.

Fruit, Vegetables and Honey Act—continued

GENERAL TOLERANCES

- (5) (a) In the foregoing grade the following shall be allowed as tolerances by count for variations incident to proper grading, packing and handling:
 - (i) 10 per cent smaller than the declared minimum size, but no tolerance shall be allowed for specimens more than $\frac{1}{2}$ inch smaller;
 - (ii) 10 per cent larger than the declared maximum size but no tolerance shall be allowed for specimens more than $\frac{1}{2}$ inch larger;
 - (iii) 10 per cent grade defects but not exceeding 5 per cent soft rot.
- (b) At the time of packing or initial shipment the above tolerances for defects shall not be exceeded in any package; at other times, however, individual packages in any lot may contain not more than one and one-half times the tolerances specified provided that the average for the entire lot is within the tolerances permitted.

Schedule B

DIMENSIONS AND CAPACITIES FOR STANDARD PACKAGES

- 1. (a) Apple, Pear and Potato Barrel—7,056 cubic inches.

Length of stave	28 $\frac{1}{2}$ inches
Diameter of head	17 $\frac{1}{8}$ inches
Distance between heads	26 inches
Circumference at bilge (outside measurements)	64 inches

NOTE: This barrel may also be used for Cabbage and Carrots.

(b) Apple Box—2,174 cubic inches.

Length	18 inches
Width	11 $\frac{1}{2}$ inches
Depth	10 $\frac{1}{2}$ inches

A $\frac{1}{2}$ inch cleat under the lid may be used for box count sizes 113's and larger.

(c) Apple Crate—2,431 cubic inches.

Length	17 inches
Width	13 inches
Depth of ends	11 inches
Depth of sides (9 $\frac{1}{2}$ " piece set up $\frac{3}{4}$ ").	

(d) Apple and Pear Half-box—1,060 cubic inches.

Length	16 $\frac{1}{8}$ inches
Width	8 $\frac{1}{8}$ inches
Depth	7 $\frac{1}{8}$ inches

This package may be used for crabapples.
- 2. Pear, Green Tomato and Crabapple Box—1,759·5 cubic inches.

Length	18 inches
Width	11 $\frac{1}{2}$ inches
Depth	8 $\frac{1}{2}$ inches

Fruit, Vegetables and Honey Act—continued

3. Peach Box.

- Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth 4 in.— 741·7 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth $4\frac{1}{4}$ in.— 788·1 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth $4\frac{1}{2}$ in.— 834·5 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth $4\frac{3}{4}$ in.— 880·8 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth 5 in.— 927·2 cubic inches.

4. Apricot, Plum and Prune Boxes shall be one or other of the following dimensions:

- *Length $16\frac{1}{8}$ in., width 10 in., depth $3\frac{3}{8}$ in.— 544·2 cubic inches.
 **Length $16\frac{1}{8}$ in., width $9\frac{1}{2}$ in., depth $4\frac{1}{8}$ in.— 631·9 cubic inches.
 *Half-inch cleat must be used. (Add 80·4 cu. in.)
 **May be used for crabapples.

5. Cherry Boxes and lugs shall be one or other of the following dimensions:

- Length $16\frac{1}{8}$ in., width $13\frac{3}{4}$ in., depth $4\frac{3}{4}$ in.—1,053·2 cubic inches.
 Length $16\frac{1}{8}$ in., width $9\frac{1}{2}$ in., depth $4\frac{1}{8}$ in.— 631·9 cubic inches.
 Length 15 in., width $10\frac{1}{2}$ in., depth 4 in.— 630 cubic inches.

6. Tomato Packages shall be one or other of the following dimensions:

(i) Field Tomatoes—

- Length $16\frac{1}{8}$ in., width $13\frac{3}{4}$ in., depth $5\frac{3}{4}$ in.—1,274·9 cubic inches.

(ii) Hothouse Tomatoes—

- Length $15\frac{3}{4}$ in., width $15\frac{3}{4}$ in., depth $4\frac{1}{4}$ in.—1,054·3 cubic inches.
 Length $15\frac{3}{4}$ in., width $15\frac{3}{4}$ in., depth $4\frac{1}{2}$ in.—1,116·3 cubic inches.
 Length $15\frac{3}{4}$ in., width $15\frac{3}{4}$ in., depth $4\frac{3}{4}$ in.—1,178·3 cubic inches.

7. Cucumber Boxes shall be one or other of the following dimensions:

(i) Field Cucumbers—

- Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth 4 in.— 741·7 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth $4\frac{1}{4}$ in.— 788·1 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth $4\frac{1}{2}$ in.— 834·5 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth $4\frac{3}{4}$ in.— 880·8 cubic inches.
 Length $16\frac{1}{8}$ in., width $11\frac{1}{2}$ in., depth 5 in.— 927·2 cubic inches.

(ii) Hothouse Cucumbers—

- Length 18 in., width $11\frac{1}{2}$ in., depth $4\frac{1}{2}$ in.—931·5 cubic inches.
 Length 23 in., width 9 in., depth $6\frac{3}{4}$ in.—1,397·5 cubic inches.

8. Cantaloupe Crates shall be one or other of the following dimensions:

- Length 21 in., width 12 in., depth $11\frac{1}{2}$ in.—2,898 cubic inches.
 Length 21 in., width 12 in., depth $4\frac{1}{4}$ in.—1,070 cubic inches.
 Length 21 in., width 12 in., depth 4 in.—1,008 cubic inches.
 Length 21 in., width 13 in., depth 13 in.—3,549 cubic inches.
 Length 18 in., width $15\frac{1}{4}$ in., depth 12 in.—3,294 cubic inches.

9. (a) Quart Boxes—67·2 cubic inches.

Round corners: Inside top band to be $19\frac{5}{8} \times \frac{1}{2} \times \frac{1}{30}$; bottom $4\frac{3}{8} \times 4\frac{3}{8}$; depth inside $2\frac{1}{16}$; thickness of veneer $\frac{1}{24}$ inch, minimum.

Square corners: Inside top band to be $20 \times \frac{1}{2} \times \frac{1}{30}$; bottom $4\frac{3}{8} \times 4\frac{3}{8}$; depth inside 3; thickness of veneer $\frac{1}{24}$ inch, minimum.

Fruit, Vegetables and Honey Act—continued

(b) Pint Boxes—33·6 cubic inches.

Round corners: Inside top band to be $15\frac{5}{8} \times \frac{7}{16} \times \frac{1}{30}$; bottom $3\frac{1}{2} \times 3\frac{1}{2}$; depth inside $2\frac{5}{16}$; thickness of veneer $\frac{1}{26}$ inch, minimum.

Square corners: Inside top band to be $16 \times \frac{7}{16} \times \frac{1}{30}$; bottom $3\frac{1}{2} \times 3\frac{1}{2}$; depth inside $2\frac{6}{16}$; thickness of veneer $\frac{1}{26}$ inch, minimum.

(c) Shallow Hallock—33·6 cubic inches.

Top $5\frac{1}{4} \times 5\frac{1}{4}$; depth inside $1\frac{7}{32}$; depth outside $1\frac{3}{4}$; thickness of veneer $\frac{1}{20}$.

(d) Deep Hallock—33·6 cubic inches.

Top $4\frac{3}{8} \times 4\frac{3}{8}$; depth inside $1\frac{1}{2}\frac{1}{16}$; depth outside $2\frac{1}{2}$; thickness of veneer $\frac{1}{20}$.

(e) Crates shall be one or other of the following—

- 12 pints (1 tier)
- 12 quarts (1 tier)
- 24 pints (2 or 3 tiers)
- 24 quarts (2 or 3 tiers)
- 27 quarts (3 tiers)
- 32 quarts (4 tiers)
- 36 pints (3 tiers)

10. 4-basket Crate—184·1 cubic inches.

Basket $7\frac{1}{2}$ by $7\frac{1}{2}$ inches (at the top) by $6\frac{1}{2}$ by $6\frac{1}{2}$ inches (at the bottom), $3\frac{3}{4}$ inches deep (measured perpendicularly). Tin tops $7\frac{1}{2}$ by $7\frac{1}{2}$ inches (at the top), $6\frac{1}{2}$ by $6\frac{1}{2}$ inches (at the bottom), and $3\frac{3}{4}$ inches deep (measured perpendicularly). Crates are $15\frac{3}{4}$ inches by $15\frac{3}{4}$ inches by $4\frac{1}{4}$ or $4\frac{1}{2}$, or $4\frac{3}{4}$ inches.

11. (a) Bushel Hamper—2,181 cubic inches.

Dimensions—

Diameter at top 17 inches.

Diameter at bottom $14\frac{3}{4}$ inches.

Depth 11 inches (solid or raised veneer bottom type).

Depth, inside wall $11\frac{1}{4}$ inches (continuous stave type).

(b) Bushel Hamper—"export" type—2,129·4 cubic inches.

Straight stave.

Dimensions—

Diameter at top 17 inches.

Diameter at bottom 14 inches.

Depth $11\frac{1}{4}$ inches.

(c) Half-bushel Hamper—Straight side (continuous stave or solid bottoms).—1,106 cubic inches.

Dimensions—

Diameter inside at top $13\frac{1}{2}$ inches.

Depth inside to top of hoop 9 inches.

Diameter at bottom $11\frac{1}{2}$ inches.

12. (a) 2-quart, 6-quart, 11-quart and 20-quart baskets shall be of the following cubic capacities:

- 2-quart— 134·4 cubic inches
- 6-quart— 403·2 cubic inches
- 11-quart— 739·2 cubic inches
- 20-quart—1,344·0 cubic inches

Fruit, Vegetables and Honey Act—continued

(b) When the foregoing are constructed of wood veneer they shall be of the following specifications:

(i) 2-quart—134·4 cubic inches.

Bottomlength $9\frac{7}{8}$ in., width $3\frac{5}{8}$ in., thickness $\frac{3}{8}$ in. minimum;

Toplength $10\frac{3}{4}$ in., width $4\frac{1}{4}$ in.;

Depth $3\frac{1}{2}$ in. perpendicularly;

Veneerto measure 20 to the inch, minimum;

Handleslength $15\frac{3}{4}$ in., width $\frac{3}{4}$ in., veneer measuring 20 to the inch minimum and so shaped to prevent pinching or spreading of the basket.

(ii) 6-quart—403·2 cubic inches.

Bottomlength $13\frac{3}{4}$ in., width $5\frac{7}{8}$ in., thickness $\frac{3}{8}$ in. minimum;

Toplength $14\frac{1}{2}$ in., width $6\frac{5}{8}$ in.;

Depth $4\frac{1}{2}$ in. perpendicularly;

Veneerto measure 16 to the inch, minimum, but may be 20 to the inch minimum when made from hard maple, beech or birch;

Handleslength $20\frac{1}{2}$ in., width 1 to $1\frac{1}{4}$ in., veneer measuring 8 to the inch minimum, and so shaped to prevent pinching or spreading of the basket.

Coversto be so constructed and of such dimensions and material as will adequately enclose and protect the contents.

(iii) 11-quart—739·2 cubic inches.

Bottomlength $16\frac{5}{8}$ in., width $6\frac{5}{8}$ in., thickness $\frac{3}{8}$ in.;

Toplength $17\frac{5}{16}$ in., width $7\frac{5}{16}$ in.;

Depth6 in. perpendicularly;

Veneerto measure 16 to the inch, minimum;

Handleslength $25\frac{1}{2}$ in. maximum, width $1\frac{7}{8}$ in. minimum, veneer measuring 7 to the inch minimum and so shaped to prevent pinching or spreading of the basket.

Coversto be so constructed and of such dimensions and material as will adequately enclose and protect the contents.

(iv) 20-quart—1,344·0 cubic inches.

Bottomlength $16\frac{5}{8}$ in., width $6\frac{5}{8}$ in., thickness $\frac{3}{8}$ in.;

Toplength $17\frac{5}{16}$ in., width $7\frac{5}{16}$ in.;

Depth $8\frac{1}{2}$ in. perpendicularly;

Veneerto measure 16 to the inch, minimum;

Handleslength 33 in., width $1\frac{1}{4}$ in., veneer measuring 7 to the inch, minimum, and so shaped to prevent pinching or spreading of the basket.

Coversto be so constructed and of such dimensions and material as will adequately enclose and protect the contents.

Fruit, Vegetables and Honey Act—continued

13. (a) Tarlatan (leno) covers—

To be cut at right angles with the weave or mesh of the cloth to the following dimensions:

6-quart size—length 20 inches, width 12 inches;

(b) Transparent covers—

To be cut at right angles to the following dimensions:

6-quart size—length 22 inches, width 13 inches;

(c) No Tarlatan (Tarleton) used for covering fruit packages shall be made of a mesh closer in weave than 14 x 14 to the square inch; and no reddish or orange colour shall be used except No. 6 shade red-orange;

(d) No reddish or orange coloured covering shall be used for covering heaped baskets of peaches, nor for other packages of peaches except in the patent cover for wood veneer baskets.

14. (a) Celery Crates—Shall be one or other of the following dimensions:

*Length $19\frac{1}{2}$ in., width 12 in., depth 18 in.—4,212 cubic inches.

*Length 21 in., width 12 in., depth 20 in.—5,040 cubic inches.

*Length 21 in., width 9 in., depth 20 in.—3,780 cubic inches.

Length 22 in., width 16 in., depth 10 in.—3,520 cubic inches.

Length $19\frac{1}{2}$ in., width 16 in., depth $9\frac{3}{4}$ in.—3,042 cubic inches.

(b) Celery Flat.

Length $28\frac{1}{2}$ in., width 12 in., depth $3\frac{3}{4}$ in.—1,282·5 cubic inches.

Length $28\frac{1}{2}$ in., width 12 in., depth $4\frac{3}{4}$ in.—1,664·5 cubic inches.

Length $28\frac{1}{2}$ in., width 12 in., depth $6\frac{3}{4}$ in.—2,308·5 cubic inches.

*Depth may be increased or reduced according to length of celery.

15. Cabbage Crates—Shall be one or other of the following dimensions:

(a) Length $15\frac{1}{4}$ in., width 12 in., depth 18 in.—3,304 cubic inches.

*Length $21\frac{1}{2}$ in., width $17\frac{1}{2}$ in., depth 13 in.—4,891·3 cubic inches.

Length 25 in., width 17 in., depth $19\frac{1}{2}$ in.—8,787·5 cubic inches.

* $\frac{1}{2}$ " or $\frac{3}{4}$ " cleat may be used. (Add 312·2 or 318·7 cubic inches respectively.)

(b) When cabbage is packed in open or mesh bags the following shall be the standard bag dimensions, each to contain 50 pounds net:

(i) 22 x 36 inches for early cabbage;

(ii) 20 x 36 inches for late cabbage.

16. (a) Head Lettuce Crates—Shall be one or other of the following dimensions:

Length $24\frac{1}{2}$ in., width 18 in., depth 13 in.—5,573·3 cubic inches.

*Length $21\frac{1}{2}$ in., width $17\frac{1}{2}$ in., depth 13 in.—4,891·2 cubic inches.

* $\frac{1}{2}$ " or $\frac{3}{4}$ " cleats may be used. (Add 80·5 or 127·2 cubic inches respectively.)

(b) Head Lettuce Flats—Shall be one or other of the following dimensions:

Length $28\frac{1}{2}$ in., width 21 in., depth $5\frac{1}{2}$ in.—3,291·7 cubic inches.

Length $28\frac{1}{2}$ in., width 11 in., depth $5\frac{1}{2}$ in.—1,724·2 cubic inches.

Fruit, Vegetables and Honey Act—concluded

17. (a) When onions or turnips are packed in bags, the following shall be the standard net weights:

- (i) Onions—10 pounds; 25 pounds; 50 pounds; 75 pounds and 100 pounds;
- (ii) Turnip—25 pounds; 50 pounds and 100 pounds.

(b) When potatoes are packed in bags, the following shall be the standard net weights:

10 pounds; 15 pounds; 25 pounds; 50 pounds; 75 pounds and 100 pounds.

(c) When potatoes are packed in jute bags, the standard bag dimensions shall be as follows:

50 pound bag	18	x	30 in.
75 pound bag	19½	x	36 in.
100 pound bag	21½	x	40 in.
100 pound bag	22	x	36 in.

18. (a) Potato Crate (Octagonal):

Outside length	28½	inches
End width	14½	inches
End depth	14½	inches
Ends and centre partition, thickness	¾	inch

(b) Potato Crate (Square):

Outside length	24	inches
End width	15	inches
End depth	14½	inches
End thickness	¾	inch
No centre partition.			

19. Cranberry Boxes—Shall be one or other of the following dimensions:

(a) ⅙ barrel box—730·4 cubic inches.

Length	11⅞	inches
Width	8⅜	inches
Depth	7⅞	inches

(b) ¼ barrel box—1,456·9 cubic inches.

Length	15	inches
Width	10½	inches
Depth	9¼	inches

GENERAL INDEX

to

STATUTORY ORDERS AND REGULATIONS

CONSOLIDATION 1955

NOTE:—*Numerals in parenthesis indicate volume, other numerals indicate page.*

Able seamen

regulations *re* certification under Canada Shipping Act 245 (1)

Admiralty Act

practice and procedure in Admiralty cases general rules and regulations 1 (1)

Advertising matter

see Customs duty stamps on advertising matter

Aerodrome facilities, National Defence

tariff of charges under Financial Administration Act 1358 (2)

Aeronautics Act

Air regulations 1 (1)
Air Navigation orders 61 (1)
Airport zoning regulations:
Saskatoon 55 (1)
Toronto Malton 37 (1)
Vancouver 47 (1)
Commercial flying regulations 28 (1)
Flying Accidents Compensation Order 74 (1)
Prohibited areas:
Chalk River, Ontario 73 (1)
Suffield Experimental Station, Alberta 74 (1)

Age certificates

regulations *re* imported whiskey, brandy or rum under Customs Act 710 (1)

Agricultural implements

see Materials used to manufacture agricultural implements

Agricultural Prices Support Act 76 (1)

Agricultural Products Board Act 76 (1)

Agricultural Products Co-operative Marketing Act 76 (1)

Agricultural Products Marketing Act 76 (1)

Aids to navigation

protection regulations under Canada Shipping Act 299 (1)

Air Navigation Orders

made under authority of the Aeronautics Act 61 (1)

Series II aircraft nationality and registration marks 61 (1)

III aerodromes, unlicensed, markings 64 (1)

V flights, cruising altitudes, weather minima, etc. 62 (1)

Air Regulations

made under authority of Aeronautics Act 1 (1)

Air Services

see Commercial Air Services

Airport vehicle control

regulations under Department of Transport Act and Government Property Traffic Act 872 (1), 1841 (2)

—motor vehicle regulations at Gander airport under Department of Transport Act 871 (1)

Airport zoning regulations

made under authority of Aeronautics Act
Saskatoon airport 55 (1)
Toronto Malton airport 37 (1)
Vancouver airport 47 (1)

Alberta, Province of

Aeronautics Act

Suffield Experimental Station prohibited area 74 (1)

Dominion Coal Board Act

coal subsidy regulations 996 (1)

coal subvention regulations 996 (1)

Fisheries Act

regulations p. 1604 (2)

National Parks Act

health and welfare tax regulations for National Parks 2330 (3)

Alcohol

regulations under Excise Act:

denatured and specially denatured 1177 (2)

methyl 1061(2)

supply to licensed druggists 1174 (2)

Allied Veterans Benefits Act 76 (1)

Allowances

- see* Blind Persons Act
- Disabled Persons Act
- Family Allowances Act
- Old Age Security Act
- Members of Parliament Retiring Allowances Act
- War Veterans Allowance Act

Amusement devices

- see* Circuses and other amusement devices

Anchorage dues

- see* Buoyage and anchorage, harbour of Sorel

Animal Contagious Diseases Act

- regulations 76 (1)

Animals and articles imported for exhibition or competition

- regulations under Customs Tariff 847 (1)

Animals for improvement of stock

- regulations *re* duty free entry under Customs Tariff 796 (1)
- see also* Semen of pure bred animals

Annuities, government

- regulations under Government Annuities Act 1824 (2)

Antiques

- see* Museum exhibits and antiques

Appeal Board, Income Tax

- rules of practice and procedure under Income Tax Act 1870 (2)

Appropriation Act, No. 5, 1947

- potato warehouse construction regulations 120 (1)

Appropriation Act, No. 4, 1948

- bait, freezing and storage facilities
- regulations providing for assistance in the construction of 122 (1)

Appropriation Act, No. 7, 1949

- school fees and transportation costs for children of certain government employees, regulations 124 (1)

Appropriation Act, No. 4, 1951

- dragger and long-liner assistance regulations 126 (1)

Appropriation Act, No. 4, 1952

- regulations:
 - exhibition grants 129 (1)
 - rural municipal grants 132 (1)
 - war claims 134 (1)

Appropriation Act, No. 4, 1954

- regulations:
 - fishery vessel indemnity 145 (1)
 - lobster trap indemnity 139 (1)
 - medical and hospital services, Government employees occupying Federal properties, costs 138 (1)

Area control

- list of countries under Export and Import Permits Act 1242 (2)

Army Benevolent Fund Act 150 (1)**Articles exported for repair or adjustment**

- regulations under Customs Tariff 834 (1)

Articles for special use

- temporary admission, regulations under Customs Act 774 (1)

Articles not deemed of a class or kind made in Canada

- regulations under Customs Tariff 793 (1)

Articles of Canadian manufacture

- regulations for temporary admission for repair under Customs Act 697 (1)

Assistance

- see* Appropriation Acts
 - Nos. 5, 1947
 - 8, 1948
 - 4, 1951
- Canadian Vessel Construction Assistance Act
- Canada Water Conservation Assistance Act
- Children of War Dead (Education Assistance) Act
- Department of Veterans Affairs Act
- Emergency Gold Mining Assistance Act
- Maritime Coal Production Assistance Act
- Municipal Improvements Assistance Act
- Old Age Assistance Act
- Prairie Farm Assistance Act

Assistance Fund (W.V.A.)

- regulations under Department of Veterans Affairs Act 918 (1)

Assisted passage

- loan fund regulations under Immigration Act 1866 (2)

Atomic Energy Control Act

- Atomic Energy Regulations of Canada 151 (1)

Automobiles and other personal effects

- regulations for temporary entry under Customs Act 745 (1)

Automobiles, passenger

- see* Goods—entry under Tariff items 438c and 438d

Babcock test bottles and pipettes

- standards for—under National Trade Mark and True Labelling Act 2456 (3)

Bacon

- grading and export regulations under Live Stock and Live Stock Products Act 2002 (3)

Baggage

see Travellers' baggage

Bait, freezing and storage facilities, construction of

regulations for providing assistance under authority of Appropriation Act, No.4, 1948, 122 (1)

Bank Act 159 (1)

Bank of Canada Act 159 (1)

Bankruptcy Act

general rules under the Act 159 (1)

Barley

see Canadian Wheat Board Act

Battlefields

see National Battlefields at Quebec Act

Beef

grading and branding regulations under Live Stock and Live Stock Products Act 2010 (3)

Belugas

protection regulations under Fisheries Act 1440 (2)

Benefits

see Allied Veterans Benefits Act

Benevolent Fund

see Army Benevolent Fund Act

Benitiers

see Missals, benitiers, scapulars

Binder twine

regulations under Inspection and Sale Act 1989 (2)

Birds, migratory

see Migratory Birds Convention Act

Bleaching powder

see Liquid chlorine and bleaching powder

Blind Persons Act

regulations 179 (1)

Boat and Fire Drill

regulation under Canada Shipping Act 306 (1)

Boilers and machinery of steamships

regulations respecting inspection under Canada Shipping Act 580 (1)

Bonds of Canada, Domestic

regulations under Financial Administration Act 1336 (2)

Book deposit regulations

under National Library Act 2328 (3)

Bounty

regulations under Deep Sea Fisheries Act distribution of bounty 851 (1)
fishing bounty 849 (1)

Brandy, imported

see Age certificates

Brewery

regulations under Excise Act 1090 (2)

Bridges

regulations under Navigable Waters Protection Act 2470 (3)

British Columbia, Province of

Aeronautics Act

airport zoning regulations

Vancouver airport 47 (1)

Dominion Coal Board Act

coal subsidy regulations 996 (1)

Crowsnest Pass coal subvention regulations 996 (1)

Dry Docks Subsidies Act

floating drydocks:

Burrard, North Vancouver 1034 (1)

Prince Rupert, 1034 (1)

Fisheries Act

regulations 1627 (2)

sockeye salmon fishing in

Fraser River System 1430 (2)

National Harbours Board Act

regulations governing the harbour of Vancouver 2252, 2275 (3)

North Pacific Fisheries Convention Act regulations 2474 (3)

British Insurance Companies

see Canadian and British Insurance Companies Act

British preferential tariff, British content

regulations under Customs Tariff 809 (1)

Broadcasting stations

see Canadian Broadcasting Act
Radio Act

Brokers

see Custom-house brokers

Building

regulations in National Parks under National Parks Act 2409 (3)

Bullion

see Gold bullion

Buoyage and anchorage, harbour of Sorel

dues under Canada Shipping Act 299 (1)

Burlington Channel

navigation regulations under Navigable Waters Protection Act 2472 (3)

Burrard floating drydock

see Dry Docks Subsidies Act

Buses

see Goods—entry under Tariff items 438c and 438d

Business regulations

under National Parks Act 2400 (3)

under Veterans' Business and Professional Loans Act 2910 (3)

Butter

see Canada Dairy Products Act

Cable ferry regulations

under Navigable Waters Protection Act
2469 (3)

Canada Dairy Products Act

regulations 192 (1)

Canada Elections Act

fees and expenses of election officers
225 (1)

voting regulations:

Canadian Forces 225 (1)

Canadian Prisoners of War 225 (1)

Canada Fair Employment Act 225 (1)**Canada Forestry Act 225 (1)****Canada Gazette**

Public Printing and Stationery Act
style of type and rates 2596 (3)

Regulations Act

regulations *re* printing 2676 (3)

Canada Grain Act

regulations of the Board of Grain Commissioners 225 (1)

Canada Labour Regulations Board

rules of procedure under Industrial Relations and Disputes Investigation Act
1977 (2)

Canada Lands Surveys Act

examination regulations 226 (1)

tariff of fees 230 (1)

Canada Medical Act

rules and regulations relating to registration 231 (1)

Canada Prize Act

Prize Court Rules 231 (1)

Canada Shipping Act

buoyage and anchorage dues, Sorel 299 (1)

exemption of certain vessels plying the Great Lakes from ss 6 and 7 of S 411
301 (1)

fees:

Board of Steamship Inspection, scale
552 (1)

Canadian ships, registration etc. 264 (1)

port wardens, tariff 574 (1)

survey and measurement of tonnage of ships 515 (1)

regulations:

able seamen, certification of 245 (1)

aids to navigation protection 299 (1)

boat and fire drill 306 (1)

boilers and machinery of ships, inspection 580 (1)

collisions at sea, preventing 248 (1)

dangerous goods shipping 320 (1)

distressed seamen 569 (1)

dredging plants on Lower St. Lawrence and rafts 263 (1)

Canada Shipping Act—Con.

regulations—*conc.*

examination of engineers 238 (1)

fire extinguishing equipment 411 (1)

first-aid boxes and cupboards 382 (1)

general load line rules 517 (1)

grain loading 435 (1)

home-trade, inland and minor waters

voyages 310 (1)

hull inspection 286 (1)

inspection:

by exclusive surveyor 571 (1)

certificates for non-safety conven-

tion ships 316 (1)

classed ships 365 (1)

convention ships 316 (1)

lifeboatmen's efficiency certificates
313 (1)

life saving appliances 385 (1)

liquefied petroleum gas 574 (1)

load line rules for ships making
voyages on lakes or rivers 471 (1)

masters and mates:

examinations—for foreign going cer-
tificates of competency
580 (1)

re home-trade, inland
and minor waters
vessels 580 (1)

method of computing horsepower of
engines 305 (1)

minor waters navigation 302 (1)

passenger steamships fire protection
233 (1)

pilotage by-laws 573 (1)

public harbours 555 (1)

regatta and marine parade safety
425 (1)

registration of government ships 318
(1)

rules of the road for the Great Lakes
501 (1)

St. Lawrence River 468 (1)

safety certificates 312 (1)

sealing ships, construction of 423 (1)

ships' cooks, certification of 247 (1)

ships' names 317 (1)

ship station radio Part I 445 (1)

Part II 449 (1)

shipping casualties: Appeal Rules 427
(1)

Rules 429 (1)

small vessel licensing 303 (1)

steamship machinery inspection 265
(1)

steering wheels, indicators and tell
tales 426 (1)

subdivisions and pumping arrange-
ments of passenger steamships
making inland voyages between
Canada and the United States of
America *see* Errata Vol IV page

tackle 367 (1)

timber cargo 442 (1)

watertight doors and other appliances
383 (1)

Canada-United States projects

see Joint Canada-United States projects

Canada Water Conservation Assistance Act 580 (1)**Canadian and British Insurance Companies Act**

regulations determining and defining
classes of insurance 580 (1)

Canadian Broadcasting Act

regulations for broadcasting stations 583 (1)

Canadian Citizenship Act

Courts of General Sessions,
certain designated 597 (1)
regulations 589 (1)

Canadian Coal Equality Act

regulations 597 (1)

**Canadian contractors' equipment,
exported**

regulations *re* free admission on return
under Customs Tariff 795 (1)

Canadian Farm Loan Act

(general) regulations 598 (1)

Canadian Fisherman's Loan Act

regulations 605 (1)

Canadian Forces Act

Defence Superannuation regulations 608 (1)

Canadian Forces Voting Regulations

see Canada Elections Act

Canadian Maritime Commission Act

steamship subventions, regulations for
the administration 609 (1)

Canadian ships

tariff of fees for the registration, etc.
under Canada Shipping Act 232 (1)

**Canadian Vessel Construction Assist-
ance Act**

Quadrennial Survey Reserve Regulations
610 (1)

Canadian Wheat Board Act 611 (1)

Canal rules and regulations

under Department of Transport Act 878 (1)

Canneries, operation of

regulations governing the inspection
under Meat and Canned Foods Act
2190 (3)

Carriage by Air Act 611 (1)

Casualties

see Shipping Casualties

Certificates

regulations under Canada Shipping Act:
able seamen 245 (1)
life boatmen's efficiency 313 (1)
masters and mates 580 (1)
non-safety convention ships—form of
inspection 316 (1)
safety 312 (1)
ships' cooks 247 (1)

Certified seed potatoes

imported for propagation purposes—
regulations under Customs Tariff 831 (1)

Chalk River, Ontario

prohibited area under the Aeronautics
Act 73 (1)

Chattels, forfeited

regulations *re* disposal
under Indian Act 1941 (2)

Cheese

see Canada Dairy Products Act

**Cheese and Cheese Factory Improve-
ment Act**

regulations 612 (1)

Chicoutimi, Quebec

regulations governing the harbour under
National Harbours Board Act 2252,
2275 (3)

**Children of War Dead (Education
Assistance) Act**

regulations 616 (1)

Chlorine

see Liquid chlorine and bleaching powder

Churchill, Manitoba

regulations governing the harbour
under National Harbours Board Act
2252, 2275 (3)

Circuses and other amusement devices

regulations under Customs Tariff 806 (1)

Citizenship

see Canadian Citizenship Act

**Civil Aviation Organization, Inter-
national**

privileges and immunities accorded under
Privileges and Immunities (United
Nations) Act 2589 (3)

Civil Service Act

military leave regulations 643 (1)
regulations 617 (1)

Civil Service Insurance Act

regulations 645 (1)

Claims

see War Claims

Classed ships

regulations *re* the inspection under Can-
ada Shipping Act 365 (1)

Coal

see Canadian Coal Equality Act
Dominion Coal Board Act
Territorial Lands Act

**Coastal Fisheries Protection Act 651
(1)**

Coasting Trade (Customs) Regulations
under Customs Act 766 (1)

**Coastwise and Foreign Shipping Regu-
lations**

see Coasting Trade (Customs) Regula-
tions

Coin

see Subsidiary coin, redemption of

Cold rolled steel

re manufacture of skates
regulations under Customs Act 694 (1)

Cold Storage Act

regulations 651 (1)

Collingwood Dry Docks

see Dry Docks Subsidies Act

Collisions at sea

regulations for prevention under Canada Shipping Act 248 (1)

Combines Investigation Act 659 (1)**Commercial Air Services**

regulations under Aeronautics Act 28 (1)

Commercial invoices

certain entries perfected by production—
regulations under Customs Act 758 (1)

Commercial Vehicles (Customs)

regulations under Customs Act 749 (1)

Common carriers

see Potable water for common carriers

Companies Act

tariff of fees 659 (1)
—amendment 663 (1)

Companies' Creditors Arrangement Act 663 (1)**Compensation**

see Government Employees Compensation Act
National Defence Act

Conciliation and Labour Act 663 (1)**Consular fees, Canadian**

tariff established under Department of External Affairs Act 862 (1)

Containers or coverings

regulations under Customs Tariff 839 (1)

Contractors' equipment

see Canadian contractors' equipment, exported

Cooks

see Ships' cooks

Copyright Act

fees, charges or royalties for licences 671 (1)
rules 664 (1)

Countries and military service agencies

designated and regulations prescribed under Customs Tariff 804 (1)

Court Martial Appeal Board

rules of appeal procedure under National Defence Act 2247 (3)

Courts Martial

summoning of witnesses under Visiting Forces (United States of America) Act 2952 (3)

Courtenay Bay dry dock

see Dry Docks Subsidies Act

Courts of General Sessions

certain, designated as courts for purposes of the Canadian Citizenship Act 597 (1)

Coverings

Customs Tariff
regulations—Tariff item 709, 791 (1)
710 (f), 843 (1)

Cream

see Canada Dairy Products Act

Creditors Arrangement

see Companies' Creditors Arrangement Act

Criminal Cases and Inquests

tariff of fees applicable:
for Northwest Territories under Northwest Territories Act 2479 (3)
for Yukon Territory under Yukon Act 3009 (3)

Criminal Code

pari-mutuel betting regulations 672 (1)

Crown

see Debts due the Crown Act

Crown Liability Act

regulations 678 (1)

Currency, Mint and Exchange Fund Act

regulations:
gold bullion 683 (1)
mint custom refining and storing 686 (1)
subsidiary coin, redemption of 689 (1)
trial of the pyx 681 (1)

Customs Act

regulations:
age certificates for imported whiskey, brandy or rum 710 (1)
articles for special use, temporary admission 774 (1)
articles of Canadian manufacture, temporary admission for repair 697 (1)
automobiles and other personal effects temporary entry 745 (1)
certain entries
perfected by production of commercial invoices 758 (1)
coasting trade (customs) 766 (1)
cold rolled steel used in
manufacture of skates 694 (1)
commercial vehicles (customs) 749 (1)
customs-house brokers licensing 779 (1)
customs manifest 743 (1)

Customs Act—*Conc.*

regulations—*conc.*

customs tea testing 721 (1)
customs warehousing 758 (1)

drawback:

gold for export, to producers of 697 (1)

goods, imported and exported 703 (1)
goods, manufactured or produced and exported 712 (1)

Joint Canada-United States projects 784 (1)

materials used to manufacture agricultural implements, etc. 705 (1)

models for designing or copying purposes 699 (1)

motor cars and trucks 696 (1)

rubber goods 698 (1)

ship construction 722 (1)

ships' stores 734 (1)

ships' suppliers 729 (1)

spirits exported 694 (1)

wireless telegraph apparatus, goods used in manufacture 691 (1)

firearms and dangerous weapons

importation 701 (1)

goods:

found not to be goods ordered—refund of duty 720 (1)

imported for resale, record of 777 (1)

passing through another country

value for duty 710 (1)

liquid chlorine and bleaching powder 692 (1)

missals, benitiers, scapulars 693 (1)

penalties and forfeitures

distribution of proceeds 707 (1)

polariscopic test and sampling of sugar and molasses 790 (1)

scientific apparatus and instruments 692 (1)

special services 740 (1)

statutory declaration for use with Customs entries 719 (1)

suffrance warehouses and motor vehicles conveying goods in bond 714 (1)

travellers'—baggage 724 (1)

—samples 772 (1)

trucking by highway transport 776 (1)

vehicles, temporary exportation 742 (1)

vessels for pleasure purposes, permits 778 (1)

wines and spirituous liquors not landed but exported outward to sea 788 (1)

wines and spirituous liquors to be exported from a customs warehouse entry outward 786 (1)

Customs diplomatic privileges

regulations under Customs Tariff 825 (1)

Customs duty and taxes

remission of certain goods transhipped at foreign ports under Financial Administration Act 1329 (2)

Customs duty stamps on advertising matter

prepayment of import duty

regulations under Customs Tariff 837 (1)

Customs-house brokers

licensing regulations under Customs Act 779 (1)

Customs manifest

regulations under Customs Act 743 (1)

Customs officers

hours of service, regulations under Department of National Revenue Act 870 (1)

Customs Tariff

regulations:

animals and articles imported for exhibition or competition 847 (1)

animals for improvement of stock 796 (1)

articles exported for repair or adjustment 834 (1)

articles not deemed of a class or a kind made in Canada 793 (1)

British preferential tariff, British content 809 (1)

Canadian contractors' equipment exported 795 (1)

certified seed potatoes imported for propagation purposes 831 (1)

circuses and other amusement devices 806 (1)

countries and military service agencies 804 (1)

customs diplomatic privileges 825 (1)

customs duty stamps on advertising matter 837 (1)

direct shipment, definition 792 (1)

drawback on goods for home consumption 798 (1)

ethyl alcohol—importation 835 (1)

goods—entry under

Tariff items 197a and 198a 835 (1)

438c 817 (1)

438d 821 (1)

709 839 (1)

442 842 (1)

710(f) 843 (1)

livestock as settlers' effects 834 (1)

marking of certain goods to indicate country of origin 811 (1)

mattresses, used or second-hand 829 (1)

museum exhibits and antiques 844 (1)

rabbits, pure bred for improvement of stock 831 (1)

semen of pure bred animals for improvement of stock 800 (1)

travellers' baggage 841 (1)

United States freight cars, entry 836 (1)

wire rope for rigging of ships and vessels 830 (1)

Customs tea testing

regulations under Customs Act 721 (1)

Customs warehousing

regulations under Customs Act 758 (1)

Dairy cattle

regulations for export under Live Stock and Live Stock Products Act 2013 (3)

Dairy Products

see Canada Dairy Products Act

Dangerous goods

shipping regulations under Canada Shipping Act 320 (1)

Dangerous weapons

see Firearms and dangerous weapons

Debts due the Crown Act

seed grain regulations 848 (1)

Deep Sea Fisheries Actdistribution of bounty 851 (1)
fishing bounty regulations 849 (1)**Defence Production Act 851 (1)****Defence Research Board**compensation for employees
under National Defence Act 2236 (3)**Defence Services Pension Act 852 (1)****Defence Superannuation**regulations under Canadian Forces Act
608 (1)**Dental treatment**National Defence Act
by civilian practitioners 2237 (3)
for civilians 2246 (3)**Department of External Affairs Act**

tariff of Canadian consular fees 862 (1)

Department of National Health and Welfare Actpotable water regulations for common
carriers 866 (1)**Department of National Revenue Act**hours of service, Customs officers 870
(1)**Department of Transport Act**regulations:
airport vehicle control 872 (1)
canal rules and regulations 878 (1)
Gander airport motor vehicles 871 (1)
transport control 876 (1)**Department of Veterans Affairs Act**regulations:
assistance fund (W.V.A.) 918 (1)
continuation of educational services
916 (1)
guardianship of veterans' property
911 (1)
last post fund 943 (1)
pensioners training 945 (1)
scale *re* treatment under Veterans
Treatment regulations 940 (1)
scale *re* domiciliary care under Veter-
ans Treatment regulations 941 (1)
vetercraft shops 910 (1)
veterans estates 913 (1)
veterans treatment 920 (1)**Designing or copying***see* Models for designing or copying
purposes**Designs, industrial**rules under Industrial Design and
Union Label Act 1975 (2)**Destructive Insect and Pest Act**

regulations 946 (1)

Diplomatic privileges*see* Customs diplomatic privileges**Diplomatic and consular services**remission of certain taxes payable by
members under Financial Administra-
tion Act 1331 (2)**Diplomatic Service (Special) Super-
annuation Act**

regulations 982 (1)

Direct shipment

definition under Customs Tariff 792 (1)

Disabled Persons Act

regulations 983 (1)

DisputesIndustrial Relations and Disputes Investi-
gation Act regulations 1977 (2)**Distilleries**

regulations under Excise Act 1062 (2)

Distressed seamenregulations under Canada Shipping Act
569 (1)**Domiciliary care**scale under Veterans Treatment Regula-
tions 941 (1)**Dominion Coal Board Act**regulations:
Alberta and British Columbia coal sub-
sidy 996 (1)
Alberta and British Columbia Crows-
nest Pass coal subvention 996 (1)
New Brunswick coal subvention 996
(1)
Nova Scotia coal subvention 996 (1)
Saskatoon coal subvention 996 (1)**Dominion Succession Duty Act**

regulations under section 59 996 (1)

Dominion Water Power Act

regulations 1002 (1)

Doors*see* Watertight doors and other appliances**Dragger and long-liner assistance**regulations under Appropriation Act, No.
4, 1951 126 (1)**Drawback**Customs Act
regulations:
gold for export, to producers of
697 (1)
goods—imported and exported 703
(1)
—manufactured or produced and
exported 712 (1)
joint Canada-United States projects
784 (1)
materials used to manufacture agri-
cultural implements, etc. 705 (1)
models for designing or copying pur-
poses 699 (1)
motor cars and trucks 696 (1)
rubber goods 698 (1)
ship construction 722 (1)
ships' stores 734 (1)
ships' suppliers 729 (1)

Drawback—*Conc.*

- Customs Act—*Conc.*
regulations—*conc.*
spirits exported 694 (1)
- wireless telegraph apparatus, goods
used in manufacture 691 (1)
- Customs Tariff
regulations:
goods for home consumption 798 (1)

Dredging

- regulations under Territorial Lands Act
2826 (3)

Dredging plants

- on lower St. Lawrence River—regulations
under Canada Shipping Act 263 (1)

Drugs

- regulations and schedule under Opium
and Narcotic Drug Act 2502, 2509 (3)

Dry Docks Subsidies Act

- tariff of tolls and regulations 1084 (1)
- Burrard floating dry docks
- Collingwood dry docks
- Courtenay Bay dry dock
- Montreal Duke of Connaught floating
dry dock
- Port Arthur dry dock
- Prince Rupert floating dry dock

**Duke of Connaught Floating Dry Dock,
Montreal**

- see* Dry Docks Subsidies Act

Education Assistance

- see* Children of War Dead (Education
Assistance) Act

Educational services, continuation of

- regulations under Department of Vet-
erans Affairs Act 916 (1)

Eggs

- grading, packing and marking
- regulations under Live Stock and Live
Stock Products Act 2061(3)

Elections

- see* Canada Elections Act
- Indian Act

Electrical

- regulations for National Parks under
National Parks Act 2404 (3)

**Electrical and Photometric Units Act
1035 (2)**

Electricity and Fluid Exportation Act

- regulations 1035 (2)

Electricity Inspection Act

- regulations 1039 (2)

Emergency Gold Mining Assistance Act

- regulations 1050 (2)

Employees

- see* Government employees

Employment

- see* Canada Fair Employment Act

Engineers

- regulations relating to examination under
Canada Shipping Act 238 (1)
- Part I 240 (1)
- Part II 242 (1)

Engines

- method of computing horsepower under
Canada Shipping Act 305 (1)

Equipment

- see* Canadian contractors' equipment,
exported

Estates

- regulations for administration and dis-
tribution of naval, military and air
force estates under National Defence
Act 2234 (3)
- see also* Departmental of Veterans Affairs
Act

Ethyl alcohol

- importation, regulations under Customs
Tariff 835 (1)

Examinations

- see* Canada Lands Surveys Act
- Canada Medical Act
- Canada Shipping Act

Exchange Fund

- see* Currency, Mint and Exchange Fund
Act

Exchequer Court

- see* Admiralty Act
- Canada Prize Act
- Income Tax Act, section 55

Exchequer Court Act 1060 (2)

Excise Act

- regulations:
- alcohol
- denatured and specially denatured
1177 (2)
- methyl, governing sale 1061 (2)
- sale to licensed druggists 1174 (2)
- brewery 1090 (2)
- chemicals stills 1137 (2)
- distilleries and their products 1062 (2)
- manufacturers in bond 1110 (2)
- ships' stores 1110 (2)
- spirits—removed for export in bond
validation fee abolished 1060 (2)
- tobacco and cigars, governing manu-
facture 1147 (2)
- tobacco packers and Canadian raw leaf
tobacco 1165 (2)
- warehousing 1102 (2)

Excise Tax Act 1188 (2)

Exhibition grants

- regulations under authority of Appropria-
tion Act, No. 4, 1952 128 (1)

Explosives Act

- regulations 1188 (2)

Export Act 1221 (2)

Export and Import Permits Act

control lists:

- area 1242 (2)
- export 1231 (2)
- import 1231 (2)

general permits:

- Nos. Ex. 1 1245 (2)
- Ex. 2 1246 (2)
- Ex. 3 1249 (2)
- Im. 1 1249 (2)

regulations:

- export permit 1221 (2)
- import certificate 1228 (2)
- import permit 1225 (2)
- transshipment 1243 (2)

Export Credits Insurance Act 1250 (2)**External Affairs**

see Department of External Affairs Act

Fair employment

see Canada Fair Employment Act

Fair Wages and Hours of Labour Act

regulations 1250 (2)

Fair Wages Policy

of the Government of Canada 1251 (2)

Family Allowances Act

regulations 1258 (2)

Farm Improvement Loans Act

regulations 1269 (2)

Farm Loan Board, Canadian

(general) regulations under the Canadian Farm Loan Act 598 (1)

Farmers' Creditors Arrangement Act

- rules and regulations 1280 (2)
- tariff of fees 1291 (2)

Federal District Commission Act

By-law No. 32—Traffic and Property 1292 (2)

Feeding Stuffs Act

regulations:

- general 1296 (2)
- ministerial 1304 (2)

Fees

Appropriation Act, No. 7, 1949

school fees, etc., *re* children of certain Government employees 124 (1)

Canada Elections Act

fees and expenses of election officers 225 (1)

Canada Lands Surveys Act

tariff of fees 230 (1)

Canada Shipping Act

scale of fees:

Board of Steamship Inspection 552 (1)

Canadian ships, registration, etc. 264 (1)

inspection by exclusive surveyor 571 (1)

port wardens 574 (1)

survey and measurement of tonnage of ships 515 (1)

Companies Act

tariff of fees 659, 663 (1)

Fees—Conc.

Copyright Act

fees, charges or royalties for licences for performance in Canada of dramatico-musical for musical works in which copyright subsists 671 (1)

Department of External Affairs Act

tariff of Canadian consular fees 862 (1)

Electricity Inspection Act

inspection fees for electricity meters 1039 (2)

Farmers' Creditors Arrangement Act

tariff of fees 1291 (2)

Feeding Stuffs Act

fees payable for analyses 1296 (2)

Fertilizers Act

fees payable for analyses 1319 (2)

Financial Administration Act

fees for:

services of the Department of Secretary of State 1350 (2)

steamship and radio inspection outside of Canada 1334 (2)

National Defence aerodrome facilities 1358 (2)

Gas Inspection Act

schedule of fees *re* verification of gas meters 1807 (2)

Government Harbours and Piers Act

tariff of tolls for government wharves 1838 (2)

Indian Act

tariff of fees for administrative services 1956 (2)

Land Titles Act

tariff of fees for registrar, land titles offices 1994 (3)

Northwest Territories Act

tariff of fees applicable to criminal cases and inquests 2479 (3)

Patent Act

schedule of fees 2536 (3)

Radio Act

fees for licences and examinations 2654, 2656 (3)

Trade Marks Act

schedule of fees 2851 (3)

Yukon Act

tariff of fees applicable to criminal cases and inquests 3009 (3)

Ferries Act 1318 (2)**Fertilizers Act**

regulations 1319 (2)

Financial Administration Act

regulations:

destruction of securities 1330 (2)

domestic bonds of Canada 1336 (2)

fees—

services of the Department of Secretary of State 1350 (2)

steamship and radio inspections outside of Canada 1334 (2)

government contracts 1350 (2)

investors indemnity 1334 (2)

Northwest Highway System repair and recovery services 1333 (2)

prevailing rate employees 1371 (2)

public officers guarantee 1368 (2)

remission of duties on certain goods transhipped at foreign ports 1329 (2)

remission of certain taxes payable by members of the diplomatic and consular services 1331 (2)

ships' crews 1382 (2)

Financial Administration Act—Conc.

regulations—*conc.*
ships' officers 1391 (2)
tariff of charges, National Defence
aerodrome facilities 1358 (2)
Schedule to the Act 1400 (2)

Fines and forfeitures

application of proceeds under Fisheries
Act 1430 (2)

Fingerprinting

measurements, processes or operations
sanctioned under Identification of
Criminals Act 1855 (2)

Firearms and dangerous weapons

regulations *re* importation under Customs
Act 701 (1)

Fire Drill

see Boat and Fire Drill

Fire extinguishing equipment

regulations under Canada Shipping Act
411 (1)

Fire fighting vehicles

see Goods—entry under Tariff items 438c
and 438d

Fire protection

see Passenger steamships fire protection
regulations

First-aid boxes and cupboards

regulations under Canada Shipping Act
382 (1)

Fish

Fish Inspection Act
application of Act to various kinds of
fish and containers 1400 (2)
inspection regulations 1404 (2)

Meat and Canned Foods Act

canned fish and shellfish and cannery
inspection regulations 2190 (3)

**Terms of Union of Newfoundland with
Canada**

regulations *re* annual licences to
export fish from Newfoundland 2725
(3)

see Bait, freezing and storage facilities

Fish Inspection Act

application of Act to various kinds of
fish, etc. 1400 (2)
inspection regulations 1404 (2)

Fish Oil and Meal Act, 1938, The
2727 (3)

Fisheries Act

regulations:
application of fines and the proceeds
from forfeitures 1430 (2)
belugas, protection of 1440 (2)
fishery regulations of the Provinces:
Alberta 1604 (2)
British Columbia 1627 (2)
Manitoba 1572 (2)
New Brunswick 1484 (2)
Newfoundland 1510 (2)
Northwest Territories 1619 (2)
Nova Scotia 1445 (2)

Fisheries Act—Conc.

fishery regulations of the Provinces—
conc.

Ontario 1538 (2)
Prince Edward Island 1510 (2)
Quebec 1521 (2)
Saskatchewan 1592 (2)
Yukon Territory 1624 (2)

fishways—removal of obstructions 1440
(2)

Fraser River System sockeye salmon
1430 (2)

lobster fishery 1433 (2)

otter trawl fishing 1443 (2)

seal—protection of 1432 (2)

shellfish fisheries—sanitary control
1441 (2)

walrus—protection of 1431 (2)

**Fisheries Board Acts, 1936-44, New-
foundland** 2727 (3)

Fisheries Convention

regulations under North Pacific Fish-
eries Convention Act 2474 (3)

regulations under Northwest Atlantic
Fisheries Convention Act 2476 (3)

Fisheries Prices Support Act 1672 (2)

Fisheries Protection

see Coastal Fisheries Protection Act

Fisherman's loans

see Canadian Fisherman's Loan Act

Fishing

in the National Parks of Canada
regulations under National Parks Act
2332 (3)

Fishing bounty

regulations under Deep Sea Fisheries
Act 849, 851 (1)

see also Bounty

Fishing vessel indemnity

regulations under authority of Appro-
priation Act, No. 4, 1954 145 (1)

Fishways

regulations under Fisheries Act *re*
removal of obstructions 1440 (2)

Flat-ware, silver electro plated

regulations under Precious Metals Mark-
ing Act 2583 (3)

Flax fibre

regulations under Inspection and Sale
Act 1990 (2)

Floating drydocks

see Dry Docks Subsidies Act

Fluids

other than petroleum or natural gas,
licence to export under Electricity
and Fluid Exportation Act 1038 (2)

Flying Accidents Compensation

order made under authority of the
Aeronautics Act 74 (1)

Food and Drugs Act

regulations 1675 (2)
Schedules B and F 1673 (2)

Foot and Mouth Disease, Act for Control and Extirpation of
1807 (2)

Foreign Enlistment Act
1807 (2)

Foreign-going certificates of competency
see Masters and Mates

Foreign Insurance Companies Act
1807 (2)

Foreign shipping
see Coasting Trade (Customs) Regulations

Forest protection
in the National Parks
regulations under National Parks Act
2355 (3)

Forestry
see Canada Forestry Act

Freight cars, United States
entry—regulations under Customs Tariff
836 (1)

Frozen egg
regulations under Live Stock and Live Stock Products Act 2025 (3)

Fruit, processed
regulations under Meat and Canned Foods Act 2102 (3)

Fruit, Vegetables and Honey Act
regulations 1807 (2), 3013 (4)

Fur garments
regulations *re* labelling
under National Trade Mark and True Labelling Act 2452 (3)

Game Export Act
1807 (2)

Game in National Parks
regulations under National Parks Act
2350 (3)
—Wood Buffalo National Park 2384 (3)

Gander Airport
motor vehicle regulations under Department of Transport Act 871 (1)

Garbage
in National Parks
regulations under National Parks Act
2345 (3)

Gas Inspection Act
regulations *re* gas and gas meters 1808 (2)
schedule of fees *re* verification of gas meters 1807 (2)
see also natural gas
Public Lands Grants Act
Territorial Lands Act

General Load Line Rules
under Canada Shipping Act 517 (1)

General Sessions, Courts of
see Courts of General Sessions

Gold Bullion
regulations under Currency, Mint and Exchange Fund Act 683 (1)

Gold—drawback to producers
regulations under Customs Act 697 (1)

Gold Export Act
regulations 1822 (2)

Gold—mining
assistance regulations under Emergency Gold Mining Assistance Act 1050 (2)

Goods
Customs Act
drawback regulations:
imported and exported 703 (1)
manufactured or produced and exported 712 (1)
rubber 698 (1)
regulations:
found not to be goods ordered—
refund of duty 720 (1)
imported for resale, record of 777 (1)
passing through another country
—value for duty 710 (1)
Customs Tariff
drawback *re* home consumption 798 (1)
entry under
Tariff Items 197a and 198a 835 (1)
438c 817 (1)
438d 821 (1)
422 842 (1)
709 839 (1)
710 (f) 843 (1)
marking to indicate country of origin
811 (1)
Export and Import Permits Act
lists of, requiring permits 1231, 1242, 1245, 1246, 1249 (2)
Financial Administration Act
remission of duties on certain—transhipped at foreign ports 1329 (2)
Indian Act
disposal of forfeited goods 1941 (2)

Goods in bond
see Sufferance warehouses and motor vehicles

Government Annuities Act
regulations 1824 (2)

Government contracts
regulations under Financial Administration Act 1329 (2)

Government Employees Compensation Act
regulations 1830 (2)

Government employees, certain
see Medical and hospital services, costs of
School fees and transportation costs for children

Government Harbours and Piers Act
government wharves regulations 1831 (2)
tariff of tolls, government wharves 1838 (2)

Government Property Traffic Act
 airport vehicle control regulations 1841
 (2)
 regulations 1838 (2)

Government Railways Act 1842 (2)

Government ships
 registration of—regulations under Can-
 ada Shipping Act 318 (1)

Government Works Tolls Act 1842 (2)

Grain Commissioners, Board of
see Canada Grain Act
 Inland Water Freight Rates Act

Grain Futures Act 1842 (2)

Grain loading
 regulations under Canada Shipping Act
 435 (1)

Grains
see Feeding Stuffs Act

Grants
see Exhibition Grants
 Rural Municipal Grants
 War Service Grants Act

Gratuity, War Service
see War Service Grants Act

Grazing
 regulations under National Parks Act
 2381 (3)

Great Lakes
 Canada Shipping Act
 certain vessels—exempted from provi-
 sions of ss (6) and (7) of section 411
 301 (1)
 rules of the road 501 (1)
 Navigable Waters Protection Act
 seamen's security regulations 2464 (3)
 —exemptions 2468 (3)

Guardianship of veterans' property
 regulations under Department of Vet-
 erans Affairs Act 911 (1)

Halifax, N.S.
 National Harbours Board Act
 regulations governing the harbour 2252,
 2275 (3)

Harbours
see Public Harbours

Hatchery
 regulations under Live Stock and Live
 Stock Products Act 2047 (3)

Hay and Straw Inspection Act
 regulations 1842 (2)

Health
 regulations under Public Works
 Health Act 2630 (3)

Health and Welfare Tax
 regulations for National Parks (Alberta)
 under National Parks Act 2330 (3)
 61526—197

Highway transport
see Trucking by highway transport

**Historic Sites and Monuments Act 1855
 (2)**

Hog carcass
 regulations *re* grading under Live Stock
 and Live Stock Products Act 1997 (3)

**Home Improvement Loans Guarantee
 Act 1855 (2)**

**Home-Trade, Inland and Minor Waters
 Voyages**
 regulations under Canada Shipping Act
 310 (1)
see also Masters and Mates

Honey
see Fruit, Vegetables and Honey Act

Horsepower of engines
 method of computing, under Canada
 Shipping Act 305 (1)

Hosiery
 marking regulations under National
 Trade Mark and True Labelling Act
 2461 (3)

Housing
 National Housing Act
 loan regulations 2277 (3)
 National Housing Act, 1954
 loan regulations 2303 (3)
 maximum rates of interest established
 2328 (3)

Hull inspection
 regulations under Canada Shipping Act
 286 (1)

Ice
 removal from waters in National Parks
 regulations under National Parks Act
 2349 (3)

Ice Cream
see Canada Dairy Products Act

Immigration Act
 assisted passage loan fund regulations
 1866 (2)
 regulations 1855 (2)

Import
 Export and Import Permits Act
 certificate regulations 1228 (2)
 control list 1231 (2)
 general permit No. Im. 1 1249 (2)
 permit regulations 1225 (2)
 transshipment regulations 1243 (2)

Improvements
see Municipal Improvements Assistance
 Act

Income Tax Act
 regulations 1872 (2)
 rules of practice and procedure:
 Exchequer Court of Canada 1868 (2)
 Income Tax Appeal Board 1870 (2)

Indemnity

- see* Fishing vessel indemnity regulations
- Investors indemnity regulations
- Lobster trap indemnity regulations

Indian Act

- regulations:
 - disposal of forfeited goods and chattels 1941 (2)
 - oil and natural gas 1962 (2)
 - quartz mining 1942 (2)
 - reserve traffic 1954 (2)
 - tariff of fees for administrative services 1956 (2)
 - timber 1956 (2)

Indicators

- see* Steering wheels, indicators and tell-tales

Industrial Design and Union Label Act

- rules 1975 (2)

Industrial Relations and Disputes Investigation Act

- regulations—rules of procedure
- Canada Labour Relations Board 1977 (2)

Inland Water Freight Rates Act

- Order No. 20 of the Board of Grain Commissioners for Canada 1988 (2)

Inland Waters Voyages

- see* Home-trade, inland and minor waters voyages

Inquests

- see* Criminal Cases and Inquests

Insect

- see* Destructive Insect and Pest Act

Inspection

- Canada Shipping Act
 - boilers and machinery of steamships 580 (1)
 - certificates for non-safety convention ships 316 (1)
 - classed ships 365 (1)
 - exclusive surveyor 571 (1)
 - hull 286 (1)
 - steamship and radio outside Canada—steamship machinery 265 (1)

Inspection and Sale Act

- regulations 1989 (2)

Inspection certificates for

- non-safety convention ships
- form authorized under Canada Shipping Act 316 (1)

Insurance

- see* Canadian and British Insurance Companies Act
- Civil Service Insurance Act
- Foreign Insurance Companies Act
- Returned Soldiers' Insurance Act
- Veterans Insurance Act
- Unemployment Insurance Act

Interest

- maximum rates established under National Housing Act, 1954 2328 (3)

International Civil Aviation Organization

- see* Civil Aviation Organization

International Labour Office

- see* Privileges and Immunities (United Nations) Act

Investigation

- see* Combines Investigation Act

Investors indemnity

- regulations under Financial Administration Act 1334 (2)

Italy

- Treaties of Peace (Italy, Roumania, Hungary and Finland) Act, 1948
- regulations 2855 (3)
- war claims settlement 2856 (3)

Joint Canada-United States projects

- drawback regulations under Customs Act 784 (1)

Labelling

- see* National Trade Mark and True Labelling Act

Labour

- see* Conciliation and Labour Act
- Privileges and Immunities (United Nations) Act

Lamb and mutton

- regulations *re* grading of carcasses under Live Stock and Live Stock Products Act 1998 (3)

Land

- regulations under Veterans Land Act 2931 (3)

Land Titles Act

- land titles offices for Yukon land registration and Northwest Territories
- land registration districts 1993 (3)

Lands

- Public Lands Grants Act
- regulations 2593 (3)
- Territorial Lands Act
- regulations 2735 (3)

Lands survey

- see* Canada Lands Surveys Act

Last Post Fund

- regulations under Department of Veterans Affairs Act 943 (1)

Leave

- see* Civil Service Act
- National Defence Act

Leprosy Act 1997 (3)**Letters**

- regulations under Post Office Act:
 - procedure *re* unpaid letters 2571 (3)
 - receptacles for delivery of mail 2571 (3)
 - in apartment houses 2572 (3)
 - buildings 2574 (3)
 - surcharge on returned letters 2570 (3)

Liability

see Crown Liability Act

Licences

Gold Export Act

gold export licence regulations 1822 (2)

Terms of Union of Newfoundland with Canada

regulations *re* annual licences to export fish from Newfoundland 2725 (3)

Licensing

see Customs-house brokers
Small vessel licensing

Lifeboatmen's efficiency certificate

regulations under Canada Shipping Act 313 (1)

Lifesaving appliances

regulations under Canada Shipping Act 385 (1)

Liquefied petroleum gas

regulations under Canada Shipping Act 574 (1)

Liquid chlorine and bleaching powder

regulations under Customs Act 692 (1)

Liquors

see Wines and spirituous liquors

Live Stock and Live Stock Products Act

regulations:

bacon, grading and export 2002 (3)

beef, grading and branding 2010 (3)

Canadian unwashed fleece wool, grading 2038 (3)

dairy cattle, export 2013 (3)

dressed and eviscerated poultry 2076 (3)

eggs, grading, packing and marking 2061 (3)

frozen egg 2025 (3)

hatchery 2047 (3)

hog carcass grading 2032 (3)

lamb and mutton carcasses, grading 1998 (3)

rancher fox pelts, grading 2020 (3)

stockyards 2015 (3)

veal carcasses, grading 2045 (3)

Live Stock Shipping Act

regulations respecting the shipping of livestock from Canada 2097 (3)

Livestock as settlers' effects

entry, regulations under Customs Tariff 834 (1)

Load Line Rules

ships making voyages on lakes or rivers under Canada Shipping Act 471 (1)

see also General Load Line Rules

Loans

see Canadian Farm Loan Act
Canadian Fisherman's Loan Act
Farm Improvement Loans Act
Immigration Act

61526—197½

Loans—Con.

National Housing Acts

Prairie Grain Producers' Interim Financing Act

Small Loans Act

Soldier Settlement Act

Veterans' Business and Professional Loans Act

Lobster fishery

regulations under Fisheries Act 1433 (2)

Lobster trap indemnity

regulations under authority of Appropriation Act, No. 4, 1954 139 (1)

Long-liner assistance

see Dragger and long-liner assistance

Machinery

see Boilers and Machinery

Machinery Inspection, Steamship

regulations under Canada Shipping Act 265 (1)

Magazines

see Paper for newspapers and magazines

Manifest

see Customs Manifest

Manitoba, Province of

Fisheries Act

regulations 1572 (2)

National Harbours Board Act

regulations governing the harbour of Churchill 2252, 2275 (2)

National Parks Act

schedule of areas established for National Historic Parks 2380 (3)

Manufacturers in bond

regulations under Excise Act 1110 (2)

Maple Products Industry Act

regulations 2098 (3)

Marine and Aviation War Risks Act 2102 (3)

Marine Parade

see Regatta and Marine Parade

Maritime Coal Production Assistance Act 2102 (3)

Maritime Commission Act

see Canadian Maritime Commission Act

Marking of certain goods

to indicate country of origin
regulations under Customs Tariff 811 (1)

Masters and Mates

regulations *re* examinations under Canada Shipping Act
foreign-going certificates of competency 580 (1)
home-trade, inland and minor waters vessels 580 (1)

Materials used to manufacture agricultural implements

drawback regulations under Customs Act 705 (1)

Mattresses, used or second-hand

importation, regulations under Customs Tariff 829 (1)

Meat and Canned Foods Act

regulations:

canned fish and shellfish and cannery inspection regulations 2190 (3)

meats, governing the inspection 2163 (3)

processed fruit and vegetable 2102 (3)

Medical Act

see Canada Medical Act

Medical and Hospital services, Government

employees occupying Federal properties
regulations *re* costs under authority of Appropriation Act, No. 4, 1954 138 (1)

Medical treatment

National Defence Act
regulations for civilians 2245 (3)

Members of Parliament Retiring Allowances Act

regulations 2219 (3)

Meters

—electricity

schedule of inspection fees under Electricity Inspection Act 1039 (2)

—gas

schedule of fees *re* verification under Gas Inspection Act 1807 (2)

Migratory Birds Convention Act

regulations 2220 (3)
—public shooting grounds 2225 (3)
sanctuaries 2221 (3)

Military leave

regulations under Civil Service Act 643 (1)

Military service agencies

see Countries and military service agencies

Milk and Milk Products

see Canada Dairy Products Act

Milk Test Act

regulations 2227 (3)

Minerals

see Feeding Stuffs Act

Mining

see Emergency Gold Mining Assistance Act
Indian Act
Territorial Lands Act

Minor waters

regulations under Canada Shipping Act:
navigation 302 (1)
voyages 310 (1)

Mint

see Currency, Mint and Exchange Fund Act

Mint Custom Refining and Storing

regulations under Currency, Mint and Exchange Fund Act 686 (1)

Missals, benitiers, scapulars

regulations under Customs Act 693 (1)

Models for designing or copying purposes

drawback regulations under Customs Act 699 (1)

Molasses

see Sugar and Molasses

Montreal—Floating Dry Dock

see Dry Docks Subsidies Act

Montreal harbour

National Harbours Board Act
regulations governing the harbour 2252, 2275 (3)

Motor cars and trucks

drawback regulations under Customs Act 696 (1)

Motor trucks, buses, ambulances and hearses

see Goods—entry under Tariff items 438c and 438d

Motor vehicles

see Sufferance Warehouses and motor vehicles

Municipal Improvements Assistance Act

regulations 2228 (3)

Museum exhibits and antiques

importations—regulations under Customs Tariff 844 (1)

Names

see Ships' names

National Battlefields at Quebec Act

By-law *re* the National Battlefields Park 2231 (3)

National Defence Act

regulations:

Court Martial Appeal Board

rules of appeal procedure 2247 (3)

Defence Research Board employees compensation for injuries and death 2236 (3)

defence establishment trespass 2240 (3)

dental treatment

—by civilian practitioners 2237 (3)

—for civilians 2246 (3)

estates 2234 (3)

medical care of civilians 2245 (3)

reserve forces training leave 2238 (3)

National Defence aerodrome facilities

tariff of charges under Financial Administration Act 1358 (2)

National Harbours Board Act

By-laws of the Board 2252, 2275 (3)

National Health and Welfare

see Department of National Health and Welfare Act

National historic parks

schedule of areas established under National Parks Act 2374 (3)

National Housing Act

regulations 2277 (3)

National Housing Act, 1954

loan regulations 2303 (3)
maximum rates of interest established 2328 (3)

National Library Act

book deposit regulations 2328 (3)

National Parks Act

regulations:
building 2409 (3)
business 2400 (3)
electrical 2404 (3)
fishing 2332 (3)
forest protection 2355 (3)
game 2350, 2384 (3)
garbage 2345 (3)
general 2446 (3)
grazing 2381 (3)
health and welfare tax (Alberta) 2330 (3)
highway traffic 2425 (3)
ice removal 2349 (3)
National Historic parks—
schedule of areas established 2374 (3)
natural gas 2358 (3)
telephone 2397 (3)
theatre and motion picture 2340 (3)
timber 2369 (3)
water 2413 (3)
Waterton Lakes
—sewer 2435 (3)
—water 2440 (3)

National Trade Mark and True Labeling Act

regulations:
babcock test bottles and pipettes 2456 (3)
fur garments, labelling of 2452 (3)
hosiery marking 2461 (3)
turpentine, labelling of 2459 (3)

Natural Gas

Electricity and Fluid Exportation Act licence to export 1035 (2)
Indian Act
regulations 1962 (2)
National Parks Act
regulations 2358 (3)
see also Oil and gas

Natural Resources Acts, 1934-44,

The Department of, Newfoundland 2727 (3)

Navigable Waters Protection Act

regulations:
Burlington Channel navigation 2472 (3)

Navigable Waters Protection Act—*Conc.*

regulations: *conc.*
cable ferry 2469 (3)
Great Lakes seamen's security 2464 (3)
—exemptions 2468 (3)
navigable waters bridges 2470 (3)

Navigation

see Minor waters

Navigation Protection Regulations, Aids to

see Aids to navigation

New Brunswick, Province of

Dominion Coal Board Act
coal subvention regulations 996 (1)
Dry Docks Subsidies Act
Courtenay Bay, Saint John dry dock 1034 (1)
Fisheries Act
regulations 1484 (2)
National Harbours Board Act
regulations governing the harbour of Saint John 2252, 2275 (3)

Newfoundland, Province of

Fisheries Act
regulations 1510 (2)
Terms of Union of Newfoundland with Canada
regulations:
annual licences to export fish 2725 (3)
fisheries 2726 (3)

Newspapers

see Paper for newspapers and magazines

Non-safety convention ships

form of inspection certificates under Canada Shipping Act 316 (1)

North Pacific Fisheries Convention Act

regulations 2474 (3)

Northern Pacific Halibut Fishery Convention Act 2474 (3)

Northwest Atlantic Fisheries Convention Act

regulations 2476 (3)

Northwest Highway System

regulations respecting repair and recovery services under Financial Administration Act 1333 (2)

Northwest Territories

Fisheries Act
regulations 1619 (2)
Land Titles Act
land titles office for land registration district 1993 (3)
tariff of fees for registrar land titles office 1994 (3)
Northwest Territories Act
reindeer regulations 2481 (3)
seat of government 2479 (3)
tariff of fees—criminal cases and inquests 2479 (3)
Post Office Act
R.C.M.P. to perform postal duties in certain areas 2558 (3)

Northwest Territories—*Con.*

- Territorial Lands Act regulations:
 - coal mining 2830 (3)
 - dredging 2826 (3)
 - lands, disposal of 2735 (3)
 - mining, land and timber districts 2728 (3)
 - oil and gas 2751 (3)
 - placer mining 2813 (3)
 - quarrying 2731 (3)
 - quartz mining 2774 (3)
 - timber 2742 (3)

Northwest Territories Act

- reindeer regulations 2481 (3)
- seat of government 2479 (3)
- tariff of fees—criminal cases and inquiries 2479 (3)

Nova Scotia, Province of

- Dominion Coal Board Act
 - coal subvention regulations 996 (1)
- Fisheries Act
 - regulations 1445 (2)
- National Harbours Board Act
 - regulations governing the harbour of Halifax 2252, 2275 (3)
- National Parks Act
 - schedule of areas established for National Historic parks 2314 (3)

Oats

- see* Canadian Wheat Board Act

Oaths of Allegiance Act 2485 (3)**Official Secrets Act 2485 (3)****Oil**

- Indian Act
 - regulations 1962 (2)
- Public Lands Grants Act
 - regulations 2595 (3)
- Territorial Lands Act
 - regulations 2751 (3)
 - see also* Natural gas

Old Age Assistance Act

- regulations 2485 (3)

Old Age Security Act

- regulations 2497 (3)

Ontario, Province of

- Aeronautics Act
 - airport zoning regulations
 - Toronto Malton airport 37 (1)
 - prohibited areas
 - Chalk River 73 (1)
- Dry Docks Subsidies Act
 - dry docks—Collingwood 1084 (1)
 - Port Arthur 1084 (1)
- Fisheries Act
 - regulations 1538 (2)
- National Parks Act
 - schedule of areas established for National Historic Parks 2378 (3)
- Navigable Waters Protection Act
 - Burlington Channel navigation regulations 2472 (3)

Opium and Narcotic Drug Act

- regulations 2502 (3)
- schedule to the Act 2509 (3)

Otter trawl

- fishings regulations under Fisheries Act 1443 (2)

Paper for newspaper and magazines

- regulations prescribed under Tariff Items 197a and 198a, Customs Tariff 835 (1)

Pari-mutuel betting

- regulations under Criminal Code 672 (1)

Parliament, members of

- retiring allowances regulations under Members of Parliament Retiring Allowances Act 2219 (3)

Passenger automobiles

- see* Goods—entry under Tariff items 438c and 438d

Passenger Steamships Fire Protection

- regulations under Canada Shipping Act 233 (1)

Patent Act

- rules 2510 (3)

Pension Act 2536 (3)**Pensioners training**

- regulations under Department of Veterans Affairs Act 945 (1)

Pensions

- see* Defence Services Pension Act

Personal effects, temporary entry

- see* Automobiles and other personal effects

Pest

- see* Destructive Insect and Pest Act

Pest Control Products Act

- regulations 2536 (3)

Petroleum

- licence to export under Electricity and Fluid Exportation Act 1035 (2)

Petroleum gas, liquefied

- see* Liquefied petroleum gas

Photography

- processes or operations sanctioned under Identification of Criminals Act 1855 (2)

Pilotage

- By-laws under Canada Shipping Act 573 (1)

Placer mining

- regulations under Territorial Lands Act 2813 (3)

Plant equipment

- regulations under Customs Tariff 795 (1)

Polariscopic test and sampling

- see* Sugar and molasses

Port Arthur dry dock

- see* Dry Docks Subsidies Act

Port Wardens

tariff of fees under Canada Shipping Act 574 (1)

Post Office Act

regulations:

Canadian Postal Corps to perform postal duties 2558 (3)
letter chutes and receiving boxes in buildings 2574 (3)
limits of postal areas 2570 (3)
mail boxes in apartment houses 2572 (3)
passbook evidence of deposit 2558 (3)
postage rate on educational publications 2559 (3)
postal regulations 2558 (3)
postal rate on official gazettes 2559 (3)
post office savings bank 2561 (3)
procedure *re* unpaid letters 2571 (3)
R.C.M.P. to perform postal duties 2558 (3)
receptacles for the delivery of mail 2571 (3)
regulations governing postal employees 2560 (3)
reproduction of postage stamps 2570 (3)
surcharge on returned letters, business reply cards and envelopes 2570 (3)

Postage rates

under the Post Office Act on:
educational publications 2559 (3)
official gazettes 2559 (3)

Postal areas

limits of—under Post Office Act 2570 (3)

Postal duties

regulations under Post Office Act:
Canadian Postal Corps 2558 (3)
postal employees 2558, 2560, (3)
R.C.M.P. 2558 (3)

Potable water for common carriers

regulations under Department of National Health and Welfare Act 866 (1)

Potatoes

see Certified seed potatoes

Potato Warehouse Construction

regulations under Appropriation Act No. 5, 1947 120 (1)

Poultry, dressed and eviscerated

regulations under Live Stock and Live Stock Products Act 2076 (3)

Power

see Dominion Water Power Act

Prairie Farm Assistance Act

regulations 2576 (3)

Prairie Farm Rehabilitation Act 2579 (3)

Prairie Grain Producers' Interim Financing Act

regulations 2579 (3)

Precious Metals Marking Act

silver electro-plated flatware regulations 2583 (3)

Prevailing rate employees

general regulations under Financial Administration Act 1371 (2)

Prince Edward Island, Province of

Fisheries Act regulations 1510 (2)

Prince Rupert floating dry dock

see Dry Docks Subsidies Act

Prisoners of War Voting Regulations, Canadian

see Canada Elections Act

Privileges

see Customs diplomatic privileges

Privileges and Immunities (United Nations) Act

Accession to Convention on the Privileges and Immunities of the United Nations 2584 (3)
International Civil Aviation Organization — privileges and immunities accorded 2589 (3)
Privileges and Immunities (Branch Office, International Labour Office) Order 2585 (3)

Proprietary or Patent Medicine Act

Consolidated Schedule to the Act 2591 (3)

Prize Court Rules

see Canada Prize Act

Production

see Defence Production Act

Prohibited areas

orders made under the Aeronautics Act:
Chalk River, Ontario 73 (1)
Suffield Experimental Station, Alberta 74 (1)

Public Harbours

regulations under Canada Shipping Act 555 (1)

Public Lands Grants Act

oil and gas regulations 2595 (3)
regulations 2593 (3)

Public Officers

guarantee regulations under Financial Administration Act 1368 (2)

Public Officers Act 2596 (3)

Public Printing and Stationery Act

Canada Gazette—style of type and rates 2596 (3)

Public Service Superannuation Act

regulations 2597, 2619 (3)

Public Works Act

regulations:

- loitering and nuisances on public works 2630 (3)
- management and operation of various public works 2630 (3)

Public Works Health Act

regulations 2630 (3)

Pumping arrangements of passenger steamships*see* Errata, Vol IV page**Pyx, Trial of***see* Trial of the Pyx**Quadrennial Survey Reserve**

regulations under Canadian Vessel Construction Assistance Act 610 (1)

Quarantine Act

regulations 2635 (3)

Quartz mining

regulations under Indian Act 1942 (2)
 —under Territorial Lands Act 2774 (3)

Quarrying

regulations under Territorial Lands Act 2731 (3)

Quebec Harbour

regulations governing under National Harbours Board Act 2252, 2275 (3)

Quebec, Province of

Dry Docks Subsidies Act
 Duke of Connaught floating dry dock, Montreal 1084 (1)
 Fisheries Act
 regulations 1521 (2)
 National Battlefields at Quebec Act
 By-law *re* National Battlefields Park 2231 (3)
 National Harbours Board Act
 By-laws governing the harbours of Chicoutimi, Quebec, Three Rivers and Montreal 2252, 2275 (3)
 National Parks Act
 schedule of areas established for National Historic Parks 2377 (3)

Rabbits, pure bred

importation for improvement of stock—
 regulations under Customs Tariff 831 (1)

Radio*see* Canada Shipping Act**Radio Act**

regulations—Part I 2653 (3)
 —Part II 2659 (3)

Radio inspection outside Canada

fees under Canada Shipping Act 265 (1)

Rafts

regulations under Canada Shipping Act 265 (1)

Railway Act 2676 (3)**Ranched fox pelts**

regulations *re* grading under Live Stock and Live Stock Products Act 2020 (3)

Refining and storing*see* Mint Custom Refining and Storing**Regatta and Marine Parade**

safety regulations under Canada Shipping Act 425 (1)

Regulations Act

regulations 2676 (3)

Rehabilitation

regulations under Veterans Rehabilitation Act 2943 (3)

Reindeer, Northwest Territories

regulations under Northwest Territories Act 2481 (3)

Reinstatement in Civil Employment Act 2676 (3)**Reserve Forces**

training leave regulations under National Defence Act 2238 (3)

Returned Soldiers' Insurance Act

regulations 2678 (3)

Rigging of ships and vessels*see* Wire rope for rigging of ships and vessels**Royal Canadian Mounted Police**

to perform postal duties in certain areas in the Northwest Territories under Post Office Act 2558 (3)

Royal Canadian Mounted Police Act 2680 (3)**Rubber goods**

drawback regulations under Customs Act 698 (1)

Rules*see* Copyright rules**Rules of the road**

for the Great Lakes
 under Canada Shipping Act 501 (1)

Rum, imported*see* Age certificates**Rural Municipal Grants**

regulations under authority of Appropriation Act, No. 4, 1952, 132 (1)

Safety regulations*see* Regatta and Marine Parade**Safety certificate**

regulations under Canada Shipping Act 312 (1)

Saint John, N.B.

regulations governing the harbour under National Harbours Board Act 2252, 2275 (3)

St. Lawrence River

dredging plants, regulations 263 (1)
regulations 468 (1)

St. Lawrence Seaway Authority Act

2680 (3)

Salmon

Fisheries Act
convention relating to the protection,
preservation and extension of the
sockeye fisheries in Fraser River
System 1430 (2)

Salt Fish Board Act 2680 (3)

Samples

see Travellers' samples

Sanctuaries, bird

regulations under Migratory Birds Con-
vention Act 2221, 2225, 2226 (3)

Saskatchewan, Province of

Aeronautics Act
airport zoning regulations
Saskatoon airport 55 (1)
Dominion Coal Board Act
coal subvention regulations 996 (1)
Fisheries Act
regulations 1592 (2)
National Parks Act
schedule of areas established
for National Historic Parks 2380
(3)

Saskatoon Airport

regulations under the Aeronautics Act
55 (1)

Savings Bank, Post Office

Post Office Act
passbook evidence of deposit 2558 (3)
regulations 2561 (3)

Scapulars

see Missals, benitiers, scapulars

School fees and transportation costs

children of certain government em-
ployees
regulations under Appropriation Act,
No. 7, 1949 124 (1)

Scientific apparatus and instruments

regulations under Customs Act 692 (1)

Sea fisheries

see Deep Sea Fisheries Act

Seal

protection regulations
under Fisheries Act 1432 (2)

Seals Act 2680 (3)

Sealing ships

regulations *re* construction under Canada
Shipping Act 423 (1)

Seamen

see Able seamen
Distressed seamen
Great Lakes

Secretary of State, Department of

fees for services of—under Financial
Administration Act 1350 (2)

Securities

regulations for destruction under Finan-
cial Administration Act 1330 (2)

Seeds Act

regulations 2681 (3)

Seed grain

regulations under Debts due the Crown
Act 848 (1)

Semen of pure bred animals

importation for improvement of stock
regulations under Customs Tariff 800
(1)

Settlers' effects

see Livestock as settlers' effects

Shellfish

—canned
regulations governing the inspection
under Meat and Canned Foods Act
2190 (3)
—fisheries
sanitary control regulations under
Fisheries Act 1441 (2)

Sherbet

see Canada Dairy Products Act

Ship construction

drawback regulations under Customs Act
722 (1)

Ship station radio

regulations under Canada Shipping Act
Part I 445 (1)
Part II 449 (1)

Shipping

see Canada Shipping Act

Shipping Casualties

Canada Shipping Act
appeal rules 427 (1)
rules 429 (1)

Ships' cooks

regulations *re* certification
under Canada Shipping Act 247 (1)

Ships' crews

regulations under Financial Administra-
tion Act 1382 (2)

Ships' names

regulations under Canada Shipping Act
317 (1)

Ships' officers

regulations under Financial Administra-
tion Act 1391 (2)

Ships' stores

drawback regulations under Customs
Act 734 (1)
regulations under Excise Act 1110 (2)

Ships' suppliers

drawback regulations under Customs
Act 729 (1)

Shops

see Vetract shops

Shooting grounds, public

regulations under Migratory Birds Convention Act 2225, 2226 (3)

Skates

see Cold rolled steel

Small Loans Act

regulations *re* cost of interest 2717 (3)

Small Vessel Licensing

regulations under Canada Shipping Act 303 (1)

Soldier Settlement Act

loan regulations 2717 (3)

Sorel, Quebec

buoyage and anchorage dues 299 (1)
tariff of port warden's fees 574 (1)

Special Operators War Service Benefits Act 2724 (3)**Special services**

regulations under Customs Act 740 (1)
see also Department of National Revenue Act

Spirits, exported

drawback regulations under Customs Act 694 (1)
validation fee abolished
under Excise Act 1060 (2)

Spirituuous liquors

see Wines and spirituous liquors

Stamps, postage

regulations *re* reproduction
under Post Office Act 2570 (3)

Statistics Act

regulations *re* transmission of statistics
by mail 2724 (3)

Statutory declaration

for use with Customs entries
under Customs Act 719 (1)

Steamship Inspection, Board of

scale of fees under Canada Shipping Act 552 (1)

Steamships

inspection outside Canada by exclusive surveyor 571 (1)
machinery inspection regulations 265 (1)
passenger—fire protection regulations 233 (1)
steamship inspection, Board of—scale of fees 552 (1)
steamship and radio inspection outside of Canada 1334 (2)

Steamship subventions

regulations for the administration
under Canadian Maritime Commission Act 609 (1)

Steel

see Cold rolled steel

Steering wheels, indicators and telltales

regulations under Canada Shipping Act 426 (1)

Still, chemical

regulations under Excise Act 1137 (2)

Stockyards

regulations under Live Stock and Live Stock Products Act 2015 (3)

Storage

see Cold Storage Act

Straw

inspection regulations under Hay and Straw Inspection Act 1842 (2)

Subdivisions and pumping arrangements

see Pumping arrangements

Subsidies

see Dominion Coal Board Act
Dry Docks Subsidies Act

Subsidiary coin, redemption of

regulations under Currency, Mint and Exchange Fund Act 689 (1)

Subventions

see Canada Shipping Act—steamship subventions
Dominion Coal Board Act

Succession duties

see Dominion Succession Duty Act

Sufferance warehouses and motor vehicles

conveying "goods in bond" regulations
under Customs Act 714 (1)

Suffield Experimental Station, Alberta

prohibited area under Aeronautics Act 74 (1)

Sugar and molasses

polariscopic test and sampling regulations under Customs Act 790 (1)

Superannuation

see Canadian Forces Act
Diplomatic Service (Special) Superannuation Act
Public Service Superannuation Act

Supervisors War Service Benefits Act

2725 (3)

Supreme Court Act 2725 (3)**Surveys**

see Canada Lands Surveys Act
Canadian Vessel Construction Assistance Act

Surveyor, exclusive

inspection by—under Canada Shipping Act 571 (1)

Tackle regulations

under Canada Shipping Act 367 (1)

Tariff Board Act 2725 (3)

Taxes

Financial Administration Act
remission of certain taxes payable by
members of the diplomatic and con-
sular services 1331 (2)

Tea testing

see Customs tea testing

Telephone

regulations for National Parks
under National Parks Act 2397 (3)

Telltales

see Steering wheels, indicators and
telltails

**Terms of Union of Newfoundland with
Canada**

regulations:
annual licences to export fish 2725 (3)
fisheries 2726 (3)

Territorial Lands Act

regulations:
coal 2830 (3)
dredging 2826 (3)
lands 2735 (3)
mining, land and timber districts
Northwest Territories 2728 (3)
Northwest Territories placer mining
2813 (3)
Northwest Territories quartz mining
2774 (3)
oil and gas 2751 (3)
quarrying 2731 (3)
timber 2742 (3)

Theatre and motion picture

regulations under National Parks Act
2340 (3)

Three Rivers, Quebec

National Harbours Board Act
regulations governing the harbour
2252, 2275 (2)

Timber

see Indian Act
National Parks Act
Territorial Lands Act
Timber Marking Act

Timber cargo

regulations under Canada Shipping Act
442 (1)

Timber Marking Act

rules 2837 (3)

Tobacco

regulations under Excise Act:
manufacture of tobacco and cigars
1147 (2)
packers and raw leaf tobacco 1165 (2)

Tonnage of ships

fees for survey and measurement
under Canada Shipping Act 515 (1)

Toronto Malton Airport

regulations made under Aeronautics Act
37 (1)

Trade Marks Act

rules 2838 (3)

Trade Unions Act

regulations 2853 (3)

Traffic

see Federal District Commission Act
Government Property Traffic Act
Indian Act
National Parks Act

Training

see Pensioners Training

Transshipment regulations

under Export and Import Permits Act
1243 (2)

Transport Act 2855 (3)

Transport control

regulations under Department of Trans-
port Act 876 (1)

Travellers' baggage

regulations under: Customs Act 724 (1)
Customs Tariff 841
(1)

Travellers' samples

regulations under Customs Act 772 (1)

**Treaties of Peace (Italy, Roumania,
Hungary and Finland) Act, 1948**

regulations 2855 (3)
War Claims (Italy)
Settlement Regulations 2856 (3)

Treatment regulations

see Veterans treatment
scale: *re* treatment under section 13 of
the regulations 940 (1)
re domiciliary care under section
29 of the regulations 941 (1)

**Trespass Regulations, Defence Estab-
lishment**

under National Defence Act 2240 (3)

Trial of the Pyx

regulations under Currency, Mint and
Exchange Fund Act 681 (1)

Trolley buses, electric trackless

see Goods—entry under Tariff items
438c and 438d

Trucking by highway transport

regulations under Customs Act 776 (1)

Trucks

see Motor cars and trucks

Turpentine

regulations *re* labelling under
National Trade Mark and True
Labelling Act 2459 (3)

Unemployment Insurance Act

regulations and orders 2852, 2907 (3)

United Nations

Privileges and Immunities (United Nations) Act
 accession to Convention and privileges and immunities accorded 2584 (3)
 Branch office, International Labour Office—Order 2585 (3)

United Nations Act 2909 (3)**United States**

Customs Act
 Joint Canada-United States projects, drawback of customs duty 784 (1)
 Customs Tariff
 freight cars, entry 836 (1)
 Visiting Forces (United States of America) Act
 Courts Martial—summoning of witnesses 2952 (3)

Vancouver airport

regulations under Aeronautics Act 47 (1)

Vancouver, B.C.

National Harbours Board Act
 regulations governing the harbour 2252, 2275 (3)

Veal carcasses

grading regulations under
 Live Stock and Live Stock Products Act 2045 (3)

Vegetables

regulations under Meat and Canned Foods Act 2102 (3)
see also Fruit, Vegetables and Honey Act

Vehicle regulations at airports*see* Department of Transport Act**Vehicles, temporary exportation**

regulations under Customs Act 742 (1)

Vessel construction assistance*see* Canadian Vessel Construction Assistance Act**Vessels for pleasure purposes**

regulations *re* permits
 under Customs Act 778 (1)

Veteraft shops

under Department of Veterans Affairs Act 910 (1)

Veterans Assistance Commission Act

2909 (3)

Veterans' Business and Professional Loans Act

regulations 2910 (3)

Veterans' estates

regulations under Department of Veterans Affairs Act 913 (1)

Veterans Insurance Act

regulations 2919 (3)

Veterans Land Act

regulations 2931 (3)

Veterans' property*see* Guardianship of veterans' property**Veterans Rehabilitation Act**

regulations 2943 (3)
 training
 —reduction of allowance because of earnings 2950 (3)
 —transfers, regulations governing 2951 (3)

Veterans treatment

regulations under Department of Veterans Affairs Act 920 (1)
 scale *re*: treatment under regulations 940 (1)
 domiciliary care under regulations 941 (1)

Visiting Forces (North Atlantic Treaty) Act 2952 (3)**Visiting Forces (United States of America) Act**

Courts Martial, summoning of witnesses 2952 (3)

Vitamins*see* Feeding Stuffs Act**Vocational Training Co-ordination Act 2953 (3)****Voting***see* Canada Elections Act**Voyages**

regulations under Canada Shipping Act:
 home-trade, inland and minor waters 310 (1)
 load lines rules for ships on lakes or rivers 471 (1)

Wages, fair

policy of Government of Canada 1251 (2)
 regulations under Fair Wages and Hours of Labour Act 1250 (2)

Walrus

protection regulations
 under Fisheries Act 1431 (2)

War Claims

regulations under authority of Appropriation Act No. 4, 1952, 134 (1)
 settlement regulations (Italy) under Treaties of Peace (Italy, Roumania, Hungary and Finland) Act, 1948, 2856 (3)

War Dead*see* Children of War Dead (Education Assistance) Act**War Service Grants Act**

gratuity
 —payment in respect of infant or person of unsound mind 2956 (3)
 —payment to dependents of deceased members or former members of the forces 2957 (3)
 regulations 2953 (3)

War Veterans Allowance Act

regulations 2959 (3)

Wardens, Port

see Port Wardens

Warehouse construction

see Potato Warehouse Construction Assistance Regulations

Warehouses

see Sufferance warehouses

Warehousing regulations

see Customs warehousing regulations

Water

see Department of National Health and Welfare Act
Dominion Water Power Act
National Parks Act

Water Conservation Assistance

see Canada Water Conservation Assistance Act

Watertight doors and other appliances

regulations under Canada Shipping Act 383 (1)

Waterton Lakes National Park

regulations under National Parks Act
—sewer 2435 (3)
—water 2440 (3)

Weights and Measures Act

regulations 2966 (3)

Whaling Convention Act

regulations 3005 (3)

Wharves, government

Government Harbours and Piers Act
regulations 1831 (2)
tariff of tolls 1838 (2)

Wheat

see Canadian Wheat Board Act

Wheat Co-operative Marketing Act 3009 (3)

Whiskey, imported

see Age certificates

White Phosphorous Matches Act 3009 (3)

Whitefish

export inspection regulations
under Fish Inspection Act 1401 (2)

Wines and spirituous liquors

Customs Act

regulations:

exported from a customs warehouse
entry outward 786 (1)
not landed but exported outward to
sea 788 (1)

Wireless telegraph apparatus

goods used in manufacture, drawback
regulations under Customs Act 691 (1)

Wire rope for rigging of ships and vessels

entry—regulations under Customs Tariff 830 (1)

Wood Buffalo National Park

game regulations under
National Parks Act 2384 (3)

Wool

Canadian unwashed fleece
regulations *re* grading under Live
Stock and Live Stock Products Act
2038 (3)

Women's Royal Naval Service and South African Military Nursing Service (Benefits) Act 3009 (3)

Works, public

see Public Works Act

Yukon Act

tariff of fees applicable to criminal
cases and inquests in Yukon Territory
3009 (3)

Yukon Placer Mining Act 3011 (3)

Yukon Quartz Mining Act 3011 (3)

Yukon Territory

Fisheries Act

regulations 1624 (2)

Land Titles Act

land titles office 1993 (3)

tariff of fees for registrar

land titles office 1994 (3)

Territorial Lands Act

regulations *re*:

coal mining 2830 (3)

dredging 2826 (3)

lands, disposal of 2735 (3)

oil and gas 2751 (3)

quarrying 2731 (3)

timber 2742 (3)

Yukon Act

tariff of fees applicable to criminal
cases and inquests in the Yukon
Territory 3009 (3)

Zoning

see Airport Zoning Regulations

Errata

Volume I

A to D

Aeronautics Act

Toronto Malton Airport

Zoning Regulations page 44, fourth paragraph should read:

"Thence southwesterly"

page 46, third paragraph, 7th line should read:

"(382.08') measured"

fourth paragraph, 6th line should end:

"..... fifty-five minutes twenty"

Appropriation Acts

page 150 heading should read:

"Appropriation Acts—concluded"

Bankruptcy Act

page 175, item 28 should read:

"28..... not otherwise"

Canada Lands Surveys Act

page 230, Part II, item 9

delete "," after "Governing"

Canada Shipping Act

page 233, after item 53 insert:

"54. Regulations respecting the subdivision and pumping arrangements of passenger steamships making inland voyages between Canada and the United States of America"

page 402 section 27, subsection (2) insert brackets—" (2) "

page 580 insert after Item 53 the following:

54. Regulations respecting the subdivision and pumping arrangements of passenger steamships employed making inland voyages between Canada and the United States of America.

NOTE: These regulations, made under Section 410 of the Canada Shipping Act, by Order-in-Council P.C. 1790 of 7th July 1939 are highly technical and are of interest to relatively few persons. A revision of the regulations was under way but was not completed on 31st December, 1954.

Companies Act

Fees under Companies Act page 660 note "x Amended by Order in Council P.C. 1955-51 of 13th January (see page 663)" should appear at foot of page.

Customs Act

page 714, No. 19—Regulation *re* Sufferance Warehouses and Motor Vehicles

first line of Order in Council should read:

"His Excellency"

Customs Act—concluded

page 727, section 24, last word should read:

"in transit"

page 743, first line at top of page should read:

"transportation"

page 756, fifth line should read:

"That we"

Customs Tariff

page 791—Item 14 should read:

"14. Used or second-hand mattresses"

page 818, at bottom of page insert:

"Witness _____"

page 831—date of order at top of page should be:

"Ottawa, March 1, 1950"

page 843—date of No. 26 should read:

"Ottawa, August 18, 1954".

Department of National Revenue Act

Hours of Service, Customs Officers

page 871, section 4 (a) (i), first line should read:

"(i) at five-day week ports, from 9.00 a.m. to 4.45 p.m. daily,"

Department of Veterans Affairs Act

page 920—insert before section one, heading "Short Title"

Destructive Insect and Pest Act

page 962, section 302 (1), first line should read:

"..... 301 is subject"

page 973

s.604 (2) (a) (ii) fourth item in table under 2nd inspection should read:

"Nil"

page 975, Section 701 last line should read:

"..... set forth hereunder".

Disabled Persons Act

page 985, second line of subsection 4 should read:

"of the applicant or the person making"

page 996, section 30, second line should read:

"or from the estate of"

Volume II

E to K

Excise Act

page 1040—Part I class 1 (a)

first item under "Regular Test" should read: "060"

page 1044, section 14 second line should read:

"..... is made, irrespective of the"

page 1066, section 36 second line should read:

"and forward to the Department"

Excise Act—*concluded*

- page 1067 insert in italics before section 44 title "Unmatured Spirits"
- page 1097 section 54 (1) second line should read:
 "daily by the brewer for quantity .."
- page 1110—6. Ships Stores Regulations entry should read:
 "(P.C. 1954-1145 of 28th July, 1954)"
- page 1128 section 156 last line should read:
 "has been placed under Crown lock .."

Fair Wages Policy

- page 1254—section 5 (a) first line should read:
 "..... a conspicuous place"

Family Allowances Act

- page 1265 section 30 (1) (b) should read:
 "a parent is ineligible to receive the allowance"

Farm Improvement Loans Act

- page 1270 insert above section 2, title

Interpretation

Feeding Stuffs Act

- page 1318 *Dried Fermentation Solubles*
 Third line ".....medium of grain, molasses, whey"

Fertilizers Act

- page 1319—the second item under Act should read:
 "2. *Fertilizer Regulations* 1319"
- page 1320—section 2 item "Dried blood and bone" should read:
 "Dried blood and bone—6% total nitrogen, 5% available phosphoric acid, 11% total phosphoric acid"

Financial Administration Act

- page 1396, section 13 (2) first line
 "Vacation leave with pay"
- page 1397, section 19 (1)
 Third line should read:
 "... in accordance with section 18 ..."

Fisheries Act

- page 1429—item 5. Removal of obstructions to fishways should read:
 "6. Removal of obstructions to fishways."
- item 8 should read:
 "8. Sanitary control of shellfish fisheries regulations"

Fisheries Act—*concluded*

- page 1519, section 11 should read:
 "..... Bideford or Goodwood"
- page 1548, section 33
 (2) (a) first line "..... the first of April"
- (3) (b) last line "when the thirtieth of April is"
- page 1555, section 61 (1) (b)
 should read "Trent River or Lake Scugog;"
- page 1599 section 6 (8) third line should read:
 "the catch or any portion thereof of any licensee"
- page 1671—heading should read:

"Fisheries Act—continued"

Food and Drugs Act

- regulations—page 1795
 Part D, Division D.01.001 paragraph (j) (xviii) should read:
 "(xviii) any salt or derivative or any vitamin mentioned in subparagraph (i) to (xvii)".

*Volume III***L to Y**

Live Stock and Live Stock Products Act

- page 2001 section 10 (b) second line should read:

"..... under these regulations"

National Housing Act

- page 2294 section 62 (1)
 last line before s.s. (a) should read:
 "..... in any or all of the following ways:"

North Pacific Fisheries Convention Act

- page 2475 section 3 (3) second line should read:
 "..... under subsection (2) shall"

Opium and Narcotic Drug Act

- page 2508 second line under Forms should read:
 ".... contained in the Schedule"

Territorial Lands Act

- page 2728, item 8 should read:
 "8. Territorial Dredging Regulation"

War Service Grants Act

- page 2953 item 1 should read:
 "1. War Service Grants Regulations"



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